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सं. 39] नई दिल्ली, सितम्बर 18—सितम्बर 24, 2011, शनिवार/भाद्र 27—आश्विन 2, 1933
No. 39] NEW DELHI, SEPTEMBER 18—SEPTEMBER 24, 2011, SATURDAY/BHADRA 27—ASVINA 2, 1933

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

वित्त मंत्रालय

(वित्तीय सेवाएं विभाग)

नई दिल्ली, 8 सितम्बर, 2011

का. आ. 2571.—केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करते हुए, भारतीय स्टेट बैंक अधिनियम, 1955 (1955 का 23) की धारा 21क के साथ पठित धारा 21 की उपधारा (1) के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एतद्वारा श्री मनोहर बोथरा (जन्म तिथि 8-3-1954) को उनकी नियुक्ति की अधिसूचना की तारीख से तीन वर्षों की अवधि के लिए अथवा अगले आदेशों तक, जो भी पहले हो, भारतीय स्टेट बैंक के भोपाल स्थानीय बोर्ड में सदस्य के रूप में नामित करती है।

[फा. सं. 3/11/2010-बीओ-11]

समीर के. सिन्हा, निदेशक

MINISTRY OF FINANCE
(Department of Financial Services)
 New Delhi, the 8th September, 2011

S.O. 2571.—In exercise of the powers conferred by clause (c) of Sub-section (1) of Section 21, read with Section 21A of the State Bank of India Act, 1955 (23 of 1955), the Central Government, in consultation with Reserve Bank of India, hereby nominates Shri Manohar Bothra (DOB : 8-3-1954) as a member of the Bhopal Local Board of State Bank of India, for a period of three years from the date of notification of his appointment or until further orders, whichever is earlier.

[F. No. 3/11/2010-BO-I]
 SAMIR K. SINHA, Director

नई दिल्ली, 14 सितम्बर, 2011

का. आ. 2572.—भारतीय स्टेट बैंक अधिनियम, 1955 (1955 का 23) की धारा 21क के साथ पठित धारा 21 की उपधारा (1) के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करके, एतद्वारा श्री बिष्णु प्रसाद को उनकी नियुक्ति की अधिसूचना की तारीख से तीन वर्षों की अवधि के लिए अथवा अगले आदेशों तक, जो भी पहले हो, भारतीय स्टेट बैंक के गुवाहाटी स्थानीय बोर्ड में सदस्य के रूप में नामित करती है।

[फा. सं. 3/18/2010-बीओ-1]
 विजय मल्होत्रा, अवर सचिव

New Delhi, the 14th September, 2011

S.O. 2572.—In exercise of the powers conferred by clause (c) of Sub-section (1) of Section 21, read with Section 21A of the State Bank of India Act, 1955 (23 of 1955), the Central Government, in consultation with Reserve Bank of India, hereby nominates Shri Bishnu Prasad as a member of the Guwahati Local Board of State Bank of India, for a period of three years from the date of notification of his appointment or until further orders, whichever is earlier.

[F. No. 3/18/2010-BO-I]
 VIJAY MALHOTRA, Under Secy.

मुख्य आयकर आयुक्त का कार्यालय

[सं. 08/2011-12]

जयपुर, 12 सितम्बर, 2011

का.आ. 2573.—आयकर नियम, 1962 के नियम 2 सी ए के साथ पठनीय आयकर अधिनियम, 1961 (1961 का 43वां) की धारा 10 के खण्ड (23 सी) की उपधारा (vi) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुख्य आयकर आयुक्त, जयपुर एतद्वारा निर्धारण वर्ष 2010-11 एवं आगे के लिए कथित धारा के उद्देश्य से "प्रिंस एण्ड प्रिंसेस एजुकेशन सोसायटी, चोमू, जयपुर (स्थाई खाता संख्या AAATP7431L)" को स्वीकृति देते हैं।

2. बशर्ते की समिति आयकर नियम 1962 के नियम 2 सी ए के साथ पठनीय आयकर अधिनियम, 1961 की धारा 10 के उपखण्ड (23 सी) की उपधारा (vi) के प्रावधानों के अनुरूप कार्य करे।

[क्रमांक : मुआआ/अआआ/(मु.)/जय/10(23 सी)(vi)/2011-12/3101]
 मुकेश भान्ती, मुख्य आयकर आयुक्त

OFFICE OF THE CHIEF COMMISSIONER OF INCOME TAX

Jaipur, the 12th September, 2011

[No. 08/2011-12]

S.O. 2573.—In exercise of the powers conferred by sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961) read with rule 2CA of the Income-tax Rules, 1962 the Chief Commissioner of Income-tax, Jaipur hereby approves "Prince & Princess Education Society, Chomu, District-Jaipur (PAN-AAATP7431L)" for the purpose of said section from A. Y. 2010-11 & onwards.

2. Provided that the society conforms to and complies with the provisions of sub-clause (vi) of clause (23C) of Section 10 of the Income-tax Act, 1961, read with rule 2CA of the Income-tax Rules, 1962.

[No. CCIT/JPR/ Addl. CIT (Hqrs.)/10 (23C) (vi)/2011-12/3101]
 MUKESH BHANTI, Chief Commissioner of Income-tax

स्वास्थ्य और परिवार कल्याण मंत्रालय

[आयुर्वेद, योग व प्राकृतिक चिकित्सा, सिद्ध, यूनानी एवं होम्योपैथी (आयुष) विभाग]

नई दिल्ली, 13 सितम्बर, 2011

का. आ. 2574.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 (यथा संशोधित 1987) के नियम 10 के उप-नियम (4) के अनुसरण में स्वास्थ्य और परिवार कल्याण मंत्रालय के आयुर्वेद, योग व प्राकृतिक चिकित्सा, सिद्ध, यूनानी एवं होम्योपैथी (आयुष) विभाग के प्रशासनिक नियंत्रणाधीन निम्नलिखित कार्यालय को जिसके 80 प्रतिशत से अधिक कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :

1. राष्ट्रीय आयुर्वेद विद्यापीठ (आर.ए.वी.), नई दिल्ली।

[सं. ई. 11018(2)/2/2003-भा.चि.प. (रा.भा.)]

एस. श्रीनिवास, उप सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

[Department of Ayurveda, Yoga and Naturopathy, Sidha, Unani and Homeopathy (AYUSH)]

New Delhi, the 13th September, 2011

S.O. 2574.—In pursuance of the sub-rule (4) of Rule 10 of the Official Language (Use for Official Purpose of the Union) Rules, 1976 (as amended in 1987), the Central Government hereby notifies the following Office under the administrative control of the Department of AYUSH, Ministry of Health and Family Welfare, where more than 80% staff have acquired the working knowledge of Hindi :

1. Rashtriya Ayurveda Vidyapeeth (RAV), New Delhi.

[No. E-11018 (2)/2/2003-I.S.M. (O.L.)]

S. SRINIVAS, Dy. Secy.

वस्त्र मंत्रालय

नई दिल्ली, 15 सितम्बर, 2011

का. आ. 2575.—केन्द्रीय सरकार संघ के शासकीय प्रयोजनों के लिए राजभाषा नियम, 1976 के नियम 10 के उप-नियम 4 के अनुसरण में, वस्त्र मंत्रालय के अंतर्गत आने वाले निम्नलिखित कार्यालयों को जिसमें 80% से अधिक कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :

1. अनुसंधान विस्तार केंद्र, केतवप्रसं, केन्द्रीय रेशम बोर्ड, डाकघर-विवेकानंद नगर, पुरुलिया-723147 (पश्चिम बंगाल)।
2. अनुसंधान विस्तार केंद्र, केतवप्रसं, केन्द्रीय रेशम बोर्ड, मार्फत-जिला रेशम उत्पादन अधिकारी, यशोतारा बंगला, जंटे सां मिल के पास द्वारका चौक, साई नगर, नासिक-422011 (महाराष्ट्र)।
3. अनुसंधान विस्तार केंद्र, केतवप्रसं, केन्द्रीय रेशम बोर्ड, राज्य, रेशम उत्पादन फार्म, गोपेश्वर-246101 (उत्तराखण्ड)।
4. विपणन एवं सेवा विस्तार केंद्र, विकास आयुक्त (हस्तशिल्प) का कार्यालय, कुल्लू (हिमाचल प्रदेश)।

[सं. ई. 11016/1/2011-हिंदी]

शमशेर कौर, मुख्य लेखा नियंत्रक एवं प्रभारी राजभाषा

MINISTRY OF TEXTILES

New Delhi, the 15th September, 2011

S.O. 2575.—In pursuance of the sub-rule (4) of Rule 10 of the Official Language (Use for Official purpose of the Union) Rules, 1976 the Central Government hereby notifies the following Office of the Ministry of Textiles, more than 80% staff whereof have acquired working knowledge of Hindi :

1. Research Extension Centre, CTR & TI, Central Silk Board, P.O.-Vivekanand Nagar, Purulia-723147 (West Bengal)
2. Research Extension Centre, CTR & TI, Central Silk Board, C/o Dist. Sericulture Officer, Near Jande Saw Mill, Dwarka Circle, Sai Nagar, Nasik-422011 (Maharashtra).
3. Research Extension Centre, CTR & TI, Central Silk Board, State Sericulture Farm, Gopeshwar-246101 (Uttarakhand).
4. Marketing and Services Extension Centre, Office of the Development Commissioner (Handicraft), Kullu (Himachal Pradesh).

[No. E-11016/1/2011-Hindi]

SHAMSHER KAUR, Chief Controller of Accounts & Incharge Official Language

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

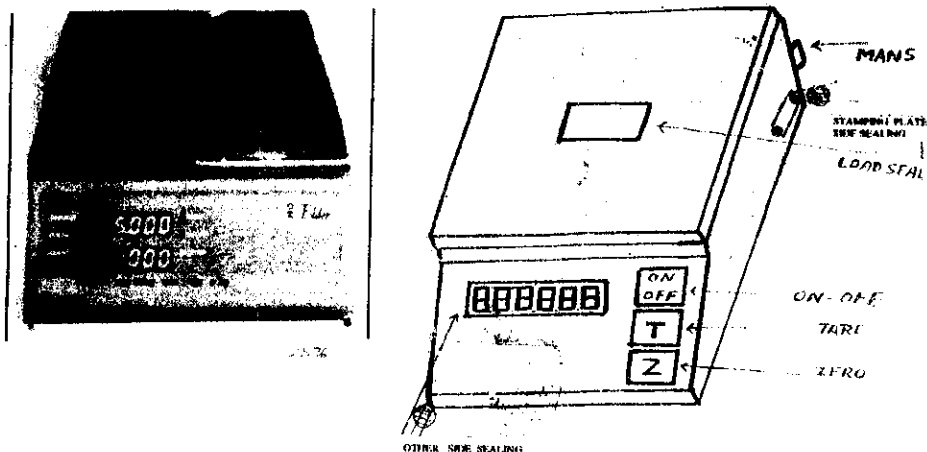
(उपभोक्ता मामले विभाग)

नई दिल्ली, 11 जुलाई, 2011

का. आ. 2576.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एल्डर इंस्ट्रुमेंट्स प्रा. लि., डब्ल्यू-345, टी टी सी इंडस्ट्रियल एरिया, राबेल एम आई डी सी, नवी मुंबई-400701 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "टीटीसी2-30" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप काउंटिंग टाइप) के मॉडल का, जिसके ब्रांड का नाम "एल्डर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/33 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप काउंटिंग टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी/एलसीडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी कलिब्रेशन तक पहुंच की सुविधा है। बाहरी कलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिज़ाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 100000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 100000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(25)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

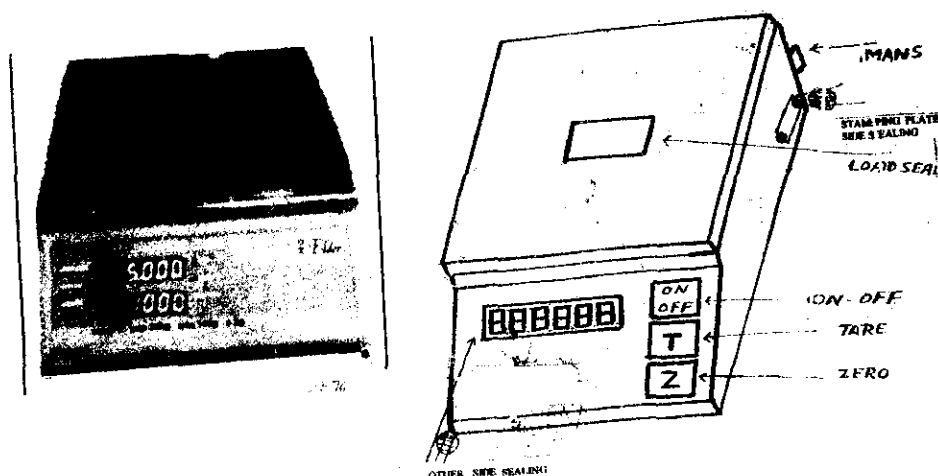
MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION**(Department of Consumer Affairs)**

New Delhi, the 11th July, 2011

S.O. 2576.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Counting Type) with digital indication of High Accuracy (Accuracy class -II) of series "TTC2-30" and with brand name "ELDER" (hereinafter referred to as the said model), manufactured by M/s Elder Instruments Pvt. Ltd., W-345, T.T.C. Industrial Area, Rabale M.I.D.C., Navi Mumbai-400701 and which is assigned the approval mark IND/09/11/33;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Counting Type) with a maximum capacity of 30 kg and minimum capacity of 100 g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. LED/LCD display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1**Figure-2 : Schematic Diagram of sealing provision of the model**

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (e) in the range of 100 to 100000 for 'e' value of 1mg to 50 mg and with verification scale interval (n) in the range of 5000 to 100000 for 'e' value of 100 mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(25)2011]

B. N. DIXIT, Director of Legal Metrology

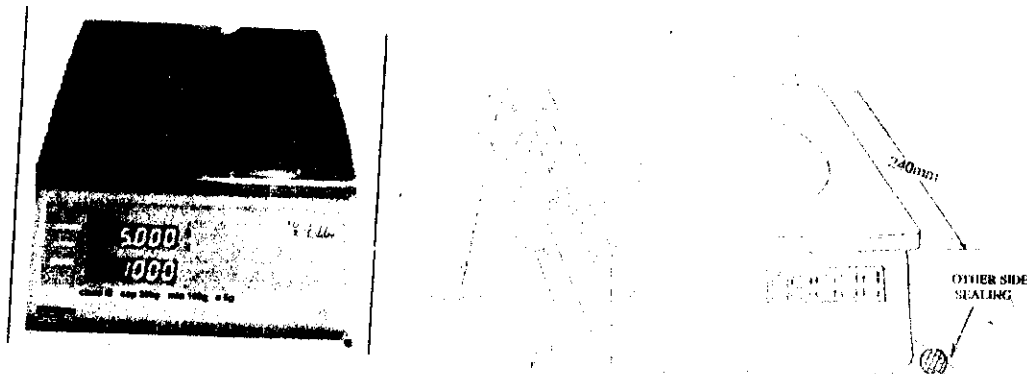
नई दिल्ली, 11 जुलाई, 2011

का. आ. 2577.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एल्डर इंडस्ट्रीज प्रा. लि., डब्ल्यू-345, टी टी सी इंडस्ट्रियल एरिया, राबेल एम आई डी सी, नवी मुंबई-400701 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “टीटीसी 3-30” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप काउंटिंग टाइप) के मॉडल का, जिसके ब्रांड का नाम “एल्डर” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/34 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप काउंटिंग टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी/एलसीडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे ज

100 मि.ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(25)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th July, 2011

S.O. 2577.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Counting Type) with digital indication of Medium Accuracy (Accuracy class-III) of series "TTC3-30" and with brand name "ELDER" (hereinafter referred to as the said model), manufactured by M/s Elder Instruments Pvt. Ltd., W-345, T.T.C. Industrial Area, Rabale M.I.D.C., Navi Mumbai-400701 and which is assigned the approval mark IND/09/11/34;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Counting Type) with a maximum capacity of 30 kg and minimum capacity of 100 g. The verification scale interval (e) is 5 g. It has a tare device with a 100 percent subtractive retained tare effect. LED/LCD display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

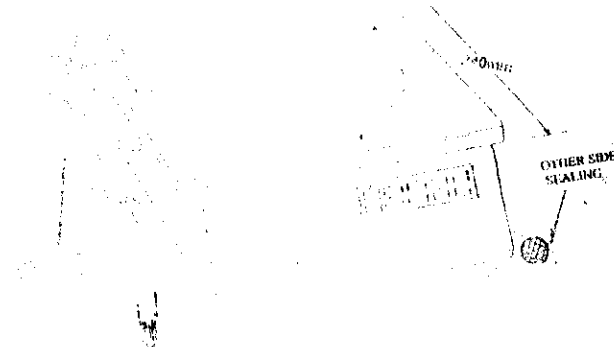


Figure-2 : Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg to 2 g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 or more and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(25)/2011]

B. N. DIXIT, Director of Legal Metrology

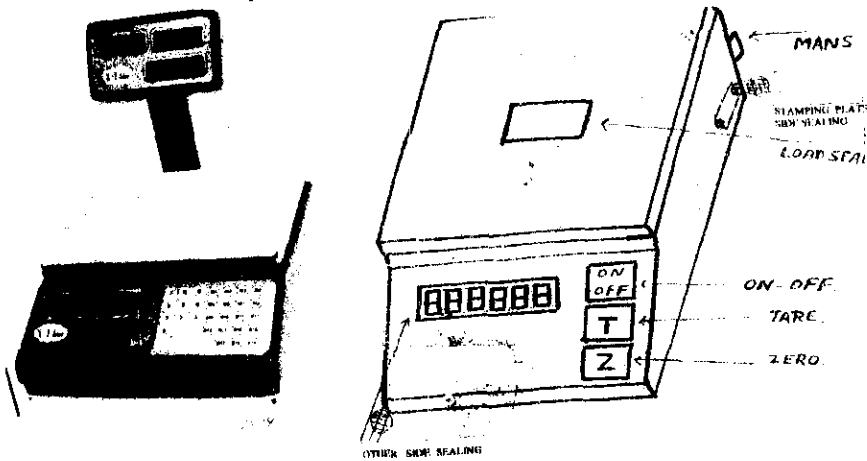
नई दिल्ली, 11 जुलाई, 2011

क्र. आ. 2578.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपाबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स एल्डर इंडस्ट्रिज प्रा. लि., डब्ल्यू-345, टी टी सी इंडस्ट्रियल एरिया, राबेल एम आई डी सी, नवी मुंबई-400701 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "पीसी 2-30" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप प्राइस काउंटिंग टाइप) के मॉडल का, जिसके ब्रांड का नाम "एल्डर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/35 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्राइस काउंटिंग टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी/एलसीडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 1,00,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5,000 से 1,00,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(25)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th July, 2011

S.O. 2578.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Price Counting Type) with digital indication of High Accuracy (Accuracy class-II) of series "PC 2-30" and with brand name "ELDER" (hereinafter referred to as the said model), manufactured by M/s Elder Instruments Pvt Ltd., W-345, T.T.C. Industrial Area, Rabale M.I.D.C., Navi Mumbai-400701 and which is assigned the approval mark IND/09/11/35;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Price Counting Type) with a maximum capacity of 30 kg and minimum capacity of 100 g. The verification scale interval (e) is 2 g. It has a tare device with a 100 percent subtractive retained tare effect. LED/LCD display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

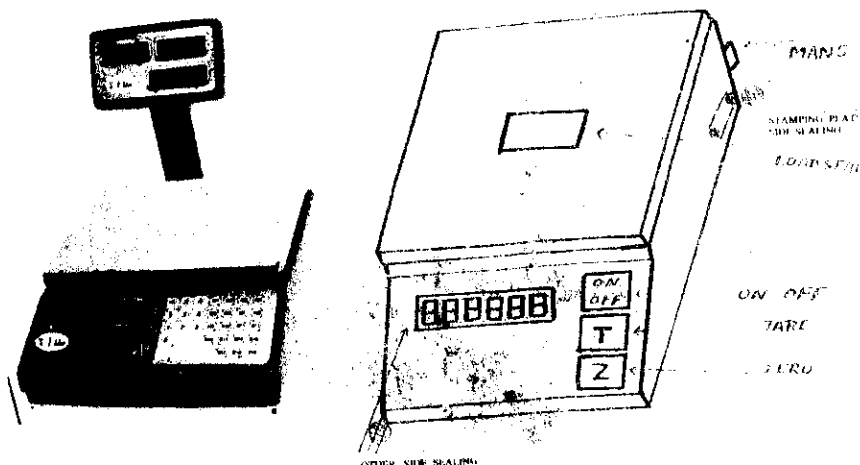


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (n) in the range of 100 to 1,00,000 for 'e' value of 1 mg to 50 mg and with verification scale interval (n) in the range of 5,000 to 1,00,000 for 'e' value of 100 mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(25)/2011]

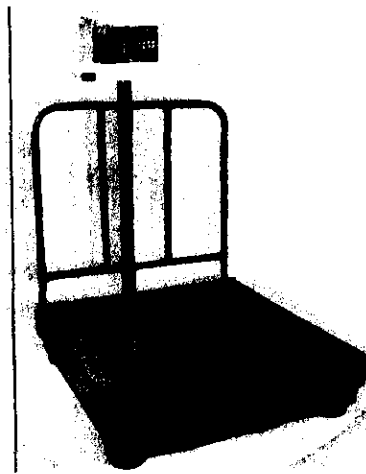
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 11 जुलाई, 2011

क्र. अ. 2579.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैक्स इल्डर इस्ट्रुमेंट्स प्रा. लि., डब्ल्यू-345, टी टी सी इंडस्ट्रियल एरिया, राबेल एम आई डी सी, नवी मुंबई-400701 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "पीएफसी 3" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफॉर्म काउंटिंग टाइप) के मॉडल का, जिसके बाट का नाम "एल्डर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन क्रि. आई एन डी/09/11/36 से अनुमोदित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विभूत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफॉर्म काउंटिंग टाइप) है। इसकी अधिकतम क्षमता 500 कि.ग्रा. और न्यूनतम क्षमता 1 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 20 ग्रा. है। इसमें एक आधेकतुलन युक्त है जिसका सत प्रतिशत व्यवकलनात्मक धारित आधेकतुलन प्रभाव है। प्रकारा उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बोर्ड में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर की बोर्ड में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्रकृषी योजनाबद्ध डायग्राम उपलब्ध किया गया है।

उक्त मॉडल में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केंद्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो उप-धारा 36 के अधिनियम के "ई" मान के लिए 5,000 से 1,00,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 90 कि.ग्रा. से 5,000 कि.ग्रा. तक के अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(25)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th July, 2011

S.O. 2579.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform Counting type) with digital indication of High Accuracy (Accuracy class-II) of series "PFC 3" and with brand name "ELDER" (hereinafter referred to as the said model), manufactured by M/s Elder Instruments Pvt. Ltd., W-345, T. T. C. Industrial Area, Rabale M.I.D.C., Navi Mumbai-400701 and which is assigned the approval mark IND/09/11/36;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Counting Type) with a maximum capacity of 500 kg. and minimum capacity of 1 kg. The verification scale interval (e) is 20g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

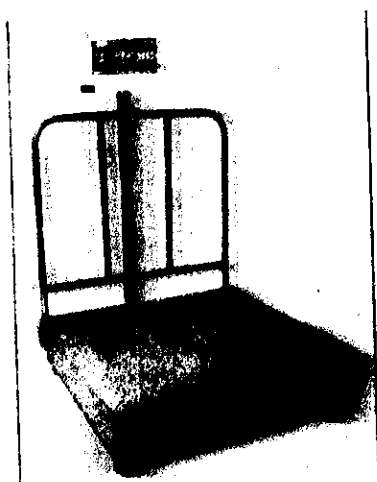


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. an upto 5,000 kg. with verification scale interval (n) in the range of 5,000 to 100,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the said approved model has been manufactured.

[FNo. WM-21(25)2011]

B. N. DIXIT, Director of Legal Metrology

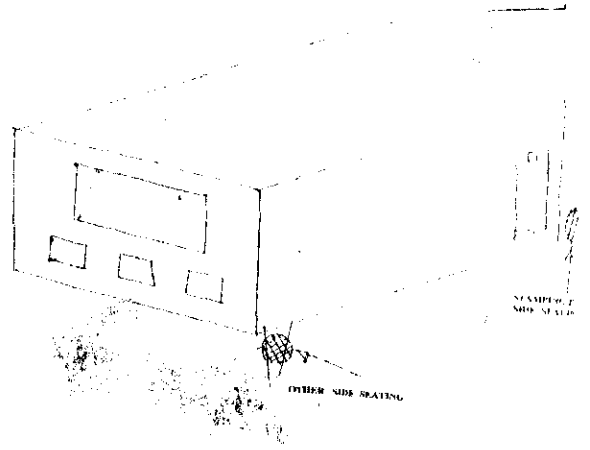
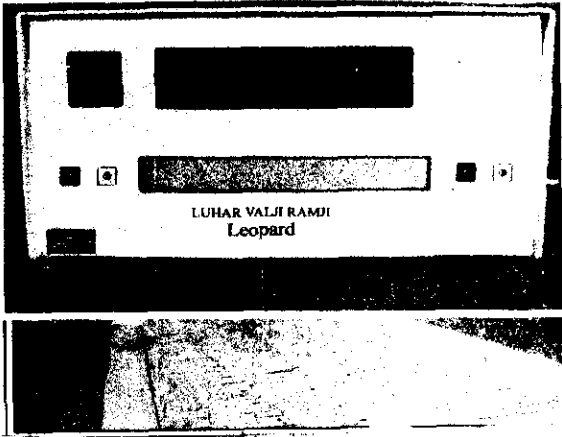
नई दिल्ली, 12 जुलाई, 2011

का. आ. 2580.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स लुहार वालजी रामजी, सांघेडिया बाजार, सावरकुण्डला-364515 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एलवीआरडब्ल्यूबी-30 टी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज) के मॉडल का, जिसके ब्रांड का नाम "लिओपार्ड" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/25 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज) है। इसकी अधिकतम क्षमता 30 टन है और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाँड़ी में से सीलिंग वायर निकाल कर डिस्पले के राइट साइड/बैक साइड में सीलिंग की गई है। डिस्पले की बेस प्लेट और टॉप कवर के छेद से सील को जोड़ा गया है, तब सील वायर इन दोनों छेदों में से निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में कलिब्रेशन के लिए बाहरी पहुंच है। बाहरी कलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे ज

5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 150 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(23)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 12th July, 2011

S.O. 2580.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby, issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Electronic Weighbridge) with digital indication of Medium Accuracy (Accuracy class-III) of series "LVRWB-30T" and with brand name "LEOPARD" (hereinafter referred to as the said model), manufactured by M/s. Luhar Valji Ramji, Sanghedia Bazar, Savarkundla-364515 and which is assigned the approval mark IND/09/11/25;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Electronic Weighbridge) with a maximum capacity of 30 tonne and minimum capacity of 100 kg. The verification scale interval (e) is 5 kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

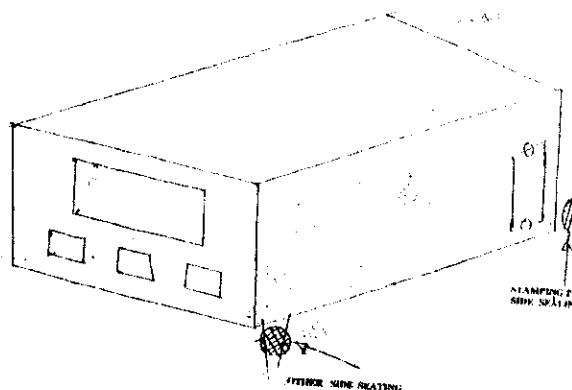


Figure-2 : Schematic Diagram of sealing provision of the model

Sealing is done on the right side/back side of the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and upto 150 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or above and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(23)/2011]

B. N. DIXIT, Director of Legal Metrology

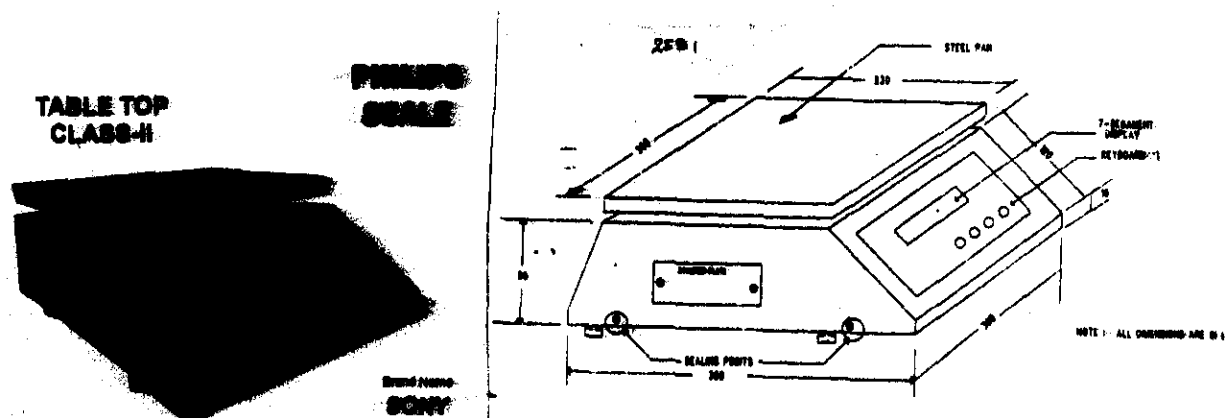
नई दिल्ली, 12 जुलाई, 2011

का. अ. 2581.—केन्द्रीय सरकार का, विहित अधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (बीचे दी गई आकृति देखें) काट और माप मानक अधिनियम, 1976 (1976 का 60) तथा काट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स फिलिप्स स्केल, प्लाट नं. 86, ट्रेड सेंटर, गला नं. 4, बसंत बाग इंडस्ट्रियल एस्टेट, सांगली द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-II) वाले "टीटी-जेडब्ल्यू" मूल्यांकन के अंकक सूचक सहित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) के मॉडल का, जिसके ब्रांड का नाम "सोनी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन दिनांक आई एन डी/09/11/54 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) है। इसकी अधिकतम क्षमता 6 कि.ग्रा. और न्यूनतम क्षमता 25 ग्रा. है। स्थापन सामान्य अंतराल (ई) 0.5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकारा उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रणाली पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बोर्ड में से सीलिंग कायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग कायर निकाल कर सील से जोड़ा जाता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी कोशिशों तक पहुंच की सुविधा है। बाहरी कोशिशों तक पहुंच को रोकने के लिए ए/डी कार्ड/मवर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माण द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी मूल्यांकन के मैकेट्री मेक यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 30 मि.ग्रा. तक के "ई" मान के लिए 100 से 100,000 तक की रेंज में स्थापन सामान्य अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 1,000 से 100,000 तक की रेंज में स्थापन सामान्य अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10⁰, 2×10⁰, 5×10⁰, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(31)/2011]

बी. एक दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 12th July, 2011

S.O. 2581.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figures given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top type) with digital indication of High Accuracy (Accuracy class-II) of series "TT-JW" and with brand name "SONY" (hereinafter referred to as the said model), manufactured by M/s. Philips Scale, Plot No. 86, Trade Centre, Gala No. 4, Vasantdada Ind. Estate, Sangli and which is assigned the approval number DD/09/11/54;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 6 kg. and minimum capacity of 25 g. The verification scale interval (e) is 0.5 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

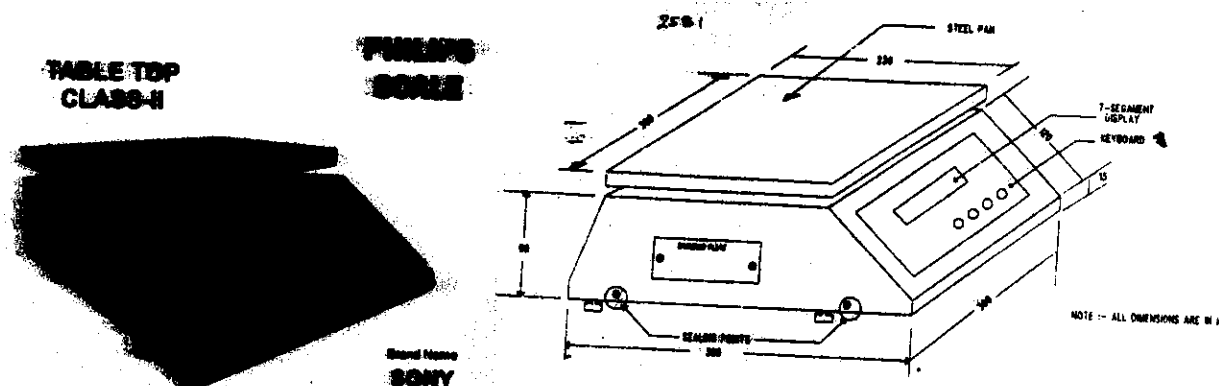


Figure-2 : Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in the control board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 6 kg. with verification scale interval (n) in the range of 100 to 100,000 for 'e' value of 1 mg. to 50 mg. and with verification scale interval (n) in the range of 100 to 100,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^3 , 2×10^3 , 5×10^3 , where 'e' is positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(31)/2011]

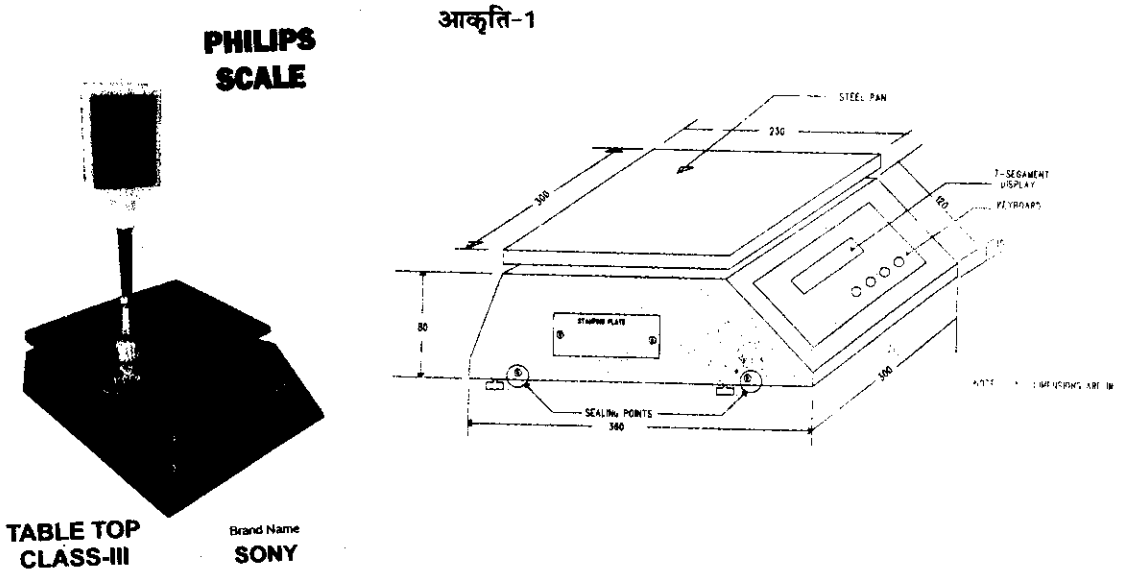
B. N. DEXIT, Director of Legal Metrology

नई दिल्ली, 12 जुलाई, 2011

का. आ. 2582.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स फिलिप्स स्केल, प्लॉट नं. 86, ट्रेड सेंटर, गाला नं. 4, वसंत दादा इंडस्ट्रियल एस्टेट, सांगली द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "टीटी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप-डुअल इंटरवल) के मॉडल का, जिसके ब्रांड का नाम "सोनी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/55 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप-डुअल इंटरवल) है। इसकी अधिकतम क्षमता 12 कि.ग्रा. और न्यूनतम क्षमता 20 ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 ग्रा. से 6 कि. ग्रा. तक और 6 कि.ग्रा. से 12 कि. ग्रा. तक 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(31)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 12th July, 2011

S.O. 2582.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Type-Dual Interval) with digital indication of Medium Accuracy (Accuracy class-III) of series "TT" and with brand name "SONY" (hereinafter referred to as the said model), manufactured by M/s. Philips Scale, Plot No. 86, Trade Centre, Gala No. 4, Vasantdada Ind. Estate, Sangli and which is assigned the approval mark IND/09/11/55;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type-Dual Interval) with a maximum capacity of 12 kg. and minimum capacity of 20 g. The verification scale interval (e) is 1 g. upto 6 kg. and above 6 kg. and upto 12 kg. is 2 g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

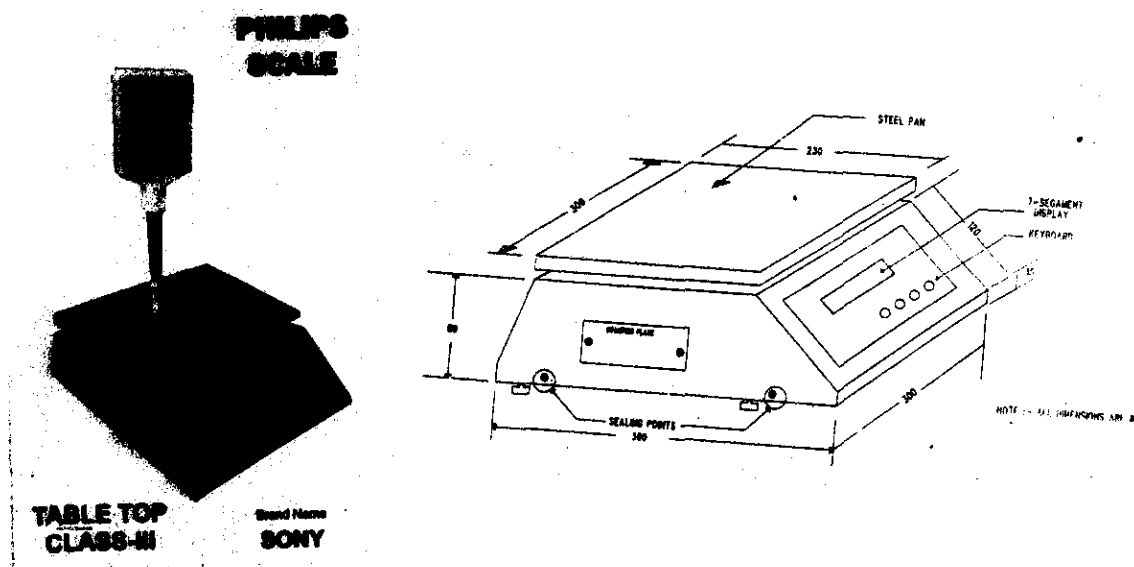


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2 g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(31)/2011]

B. N. DIXIT, Director of Legal Metrology

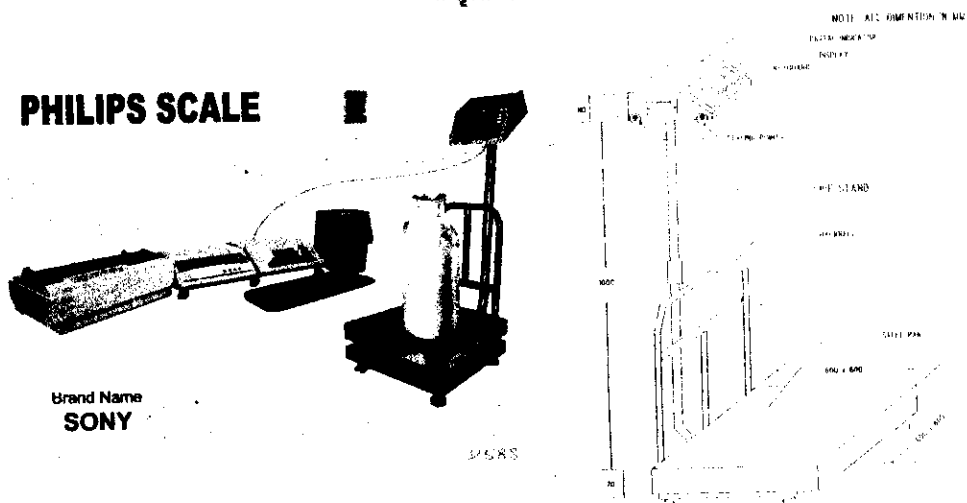
नई दिल्ली, 12 जुलाई, 2011

का. आ. 2583.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स फिलिप्स स्केल, प्लाट नं. 86, ट्रेड सेंटर, गाला नं. 4, वसंत दादा इंडस्ट्रियल एस्टेट, सांगली द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "पीएफ" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "सोनी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/56 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप-डुअल इंटरवल-कि.ग्रा. को लीटर में बदलने और बिल प्रिंटिंग सुविधा सहित) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 4 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. से 500 कि.ग्रा. तक और 500 कि.ग्रा. से 1000 कि.ग्रा. तक 500 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(31)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

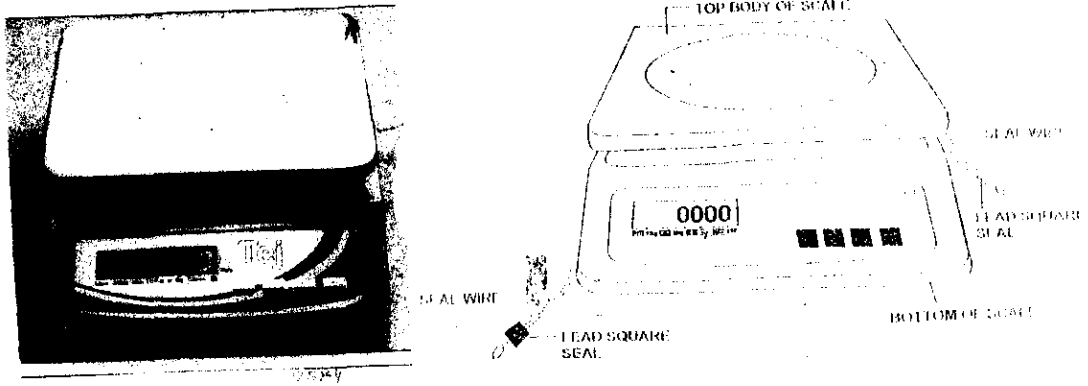
नई दिल्ली, 13 जुलाई, 2011

का. आ. 2584.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स तेज स्केल इंडस्ट्रिज, शॉप नं. 3, एस एन 736/3, अरिहंत नगर, पदमावती नगर के सामने, पार्श्वनाथ शोपिंग सेंटर के पास, नरोदा-निकोल रोड, अहमदाबाद-382330 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "टीएसआई-टीटी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) के मॉडल का, जिसके ब्रांड का नाम "तेज" है (जिसे इसमें इस के पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/167 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बोर्डी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माण द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" माप के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" माप के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" माप 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(52)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th July, 2011

S.O. 2584.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of Medium Accuracy (Accuracy class-III) of series "TSI-TT" and with brand name "TEJ" (hereinafter referred to as the said model), manufactured by M/s Tej Scale Industries, Shop No. 3, S.N. 736/3, Arihant Nagar, Opp. Padmavati Nagar, Near Parasvnath Shopping Center, Naroda-Nikol Road, Ahmedabad-382330 and which is assigned the approval mark IND/09/11/167;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30 kg and minimum capacity of 100 g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

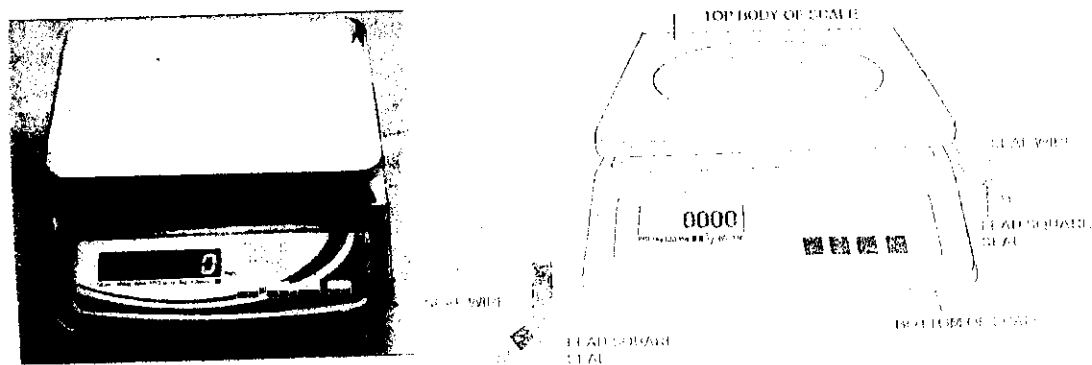


Figure-2 : Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg to 2g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(52)/2011]

B. N. DIXIT, Director of Legal Metrology

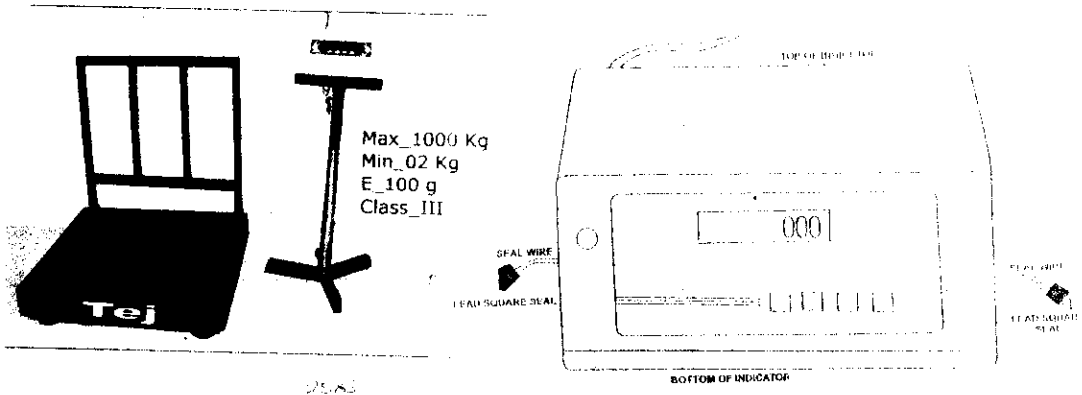
नई दिल्ली, 13 जुलाई, 2011

का. आ. 2585.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स तेज स्केल इंडस्ट्रिज, शॉप नं. 3, एस एन 736/3, अरिहंत नगर, पदमावती नगर के सामने, पार्श्वनाथ शोपिंग सेंटर के पास, नरोदा-निकोल रोड, अहमदाबाद-382330 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "टीएसआई-पीपी" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "तेज" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/168 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(52)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th July, 2011

S.O. 2585.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of Medium Accuracy (Accuracy class-III) of series "TSI-PP" and with brand name "TEJ" (hereinafter referred to as the said model), manufactured by M/s Tej Scale Industries, Shop No. 3, S.N. 736/3, Arihant Nagar, Opp. Padmavati Nagar, Near Parasvnath Shopping Center, Naroda-Nikol Road, Ahmedabad-382330 and which is assigned the approval mark IND/09/11/168;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type) with a maximum capacity of 1,000 kg and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

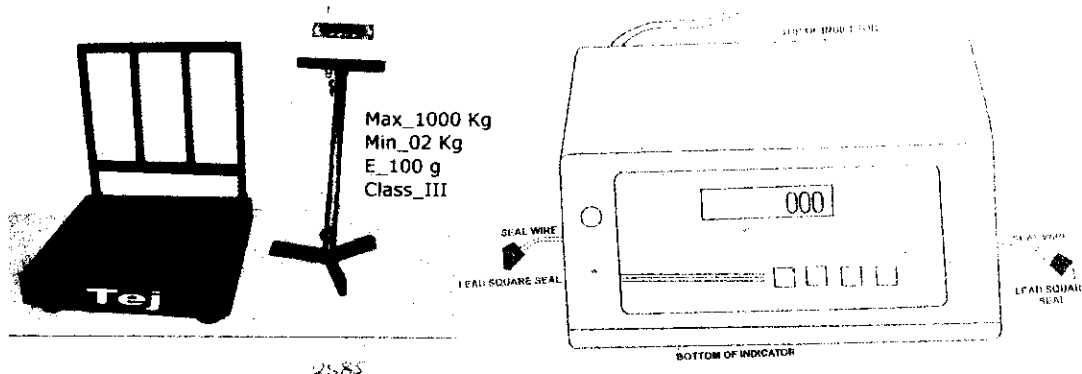


Figure-2: Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg and up to 5,000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(52)/2011]

B. N. DIXIT, Director of Legal Metrology

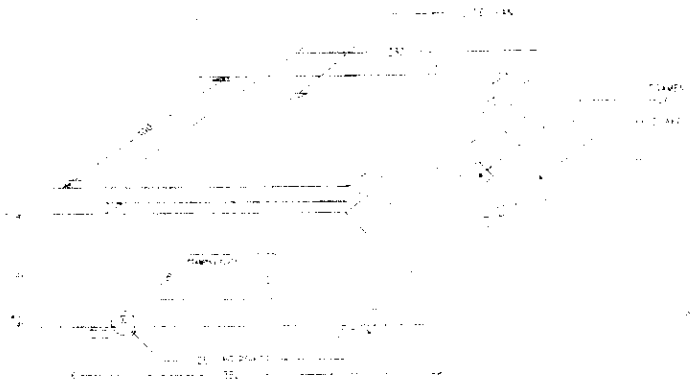
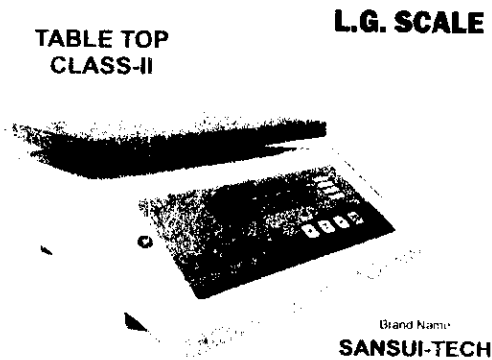
नई दिल्ली, 13 जुलाई, 2011

का. आ. 2586.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एल. जी. स्केल, प्लॉट नं. 108, वसंतदादा इंडस्ट्रियल एस्टेट, सांगली द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “एलजी-जेडब्ल्यू” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) के मॉडल का, जिसके ब्रांड का नाम “सनसुइ-टेक” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/57 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) है। इसकी अधिकतम क्षमता 6 कि.ग्रा. और न्यूनतम क्षमता 25 ग्रा. है। सत्यापन मापमान अंतराल (ई) 0.5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के “ई” मान के लिए 100 से 100,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(32)/2011]

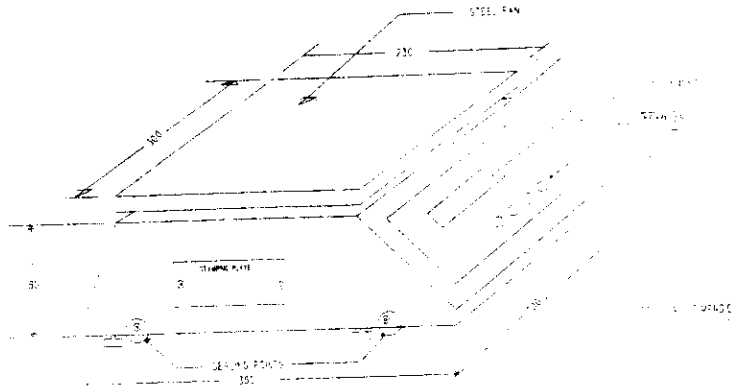
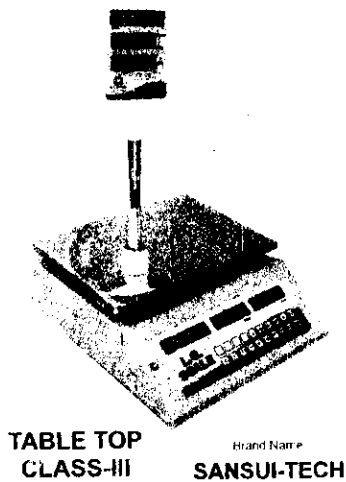
बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

नई दिल्ली, 13 जुलाई, 2011

का. आ. 2587.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एल. जी. स्केल, प्लॉट नं. 108, वसंतदादा इंडस्ट्रियल एस्टेट, सांगली द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एलजीटी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप टाइप डुअल इंटरवल) के मॉडल का, जिसके ब्रांड का नाम "सनसुई-टैक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/58 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप टाइप डुअल इंटरवल) है। इसकी अधिकतम क्षमता 12 कि.ग्रा. और न्यूनतम क्षमता 20 ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 ग्रा. 6 कि.ग्रा. तक और 6 कि.ग्रा. से 12 कि.ग्रा. तक 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

L.G. SCALE**आकृति-1****आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम**

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-5} , 2×10^{-5} , 5×10^{-5} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(32)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th July, 2011

S.O. 2587.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Type-Dual Interval) with digital indication of Medium Accuracy (Accuracy class-III) of series "LGT" and with brand name "SANSUI-TECH" (hereinafter referred to as the said model), manufactured by M/s L. G. Scale, Plot No. 108, Vasantdada Industrial Estate, Sangli and which is assigned the approval mark IND/09/11/58;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type-Dual Interval) with a maximum capacity of 12 kg and minimum capacity of 20g. The verification scale interval (e) is 1 g upto 6 kg and above 6 kg and up to 12 kg is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

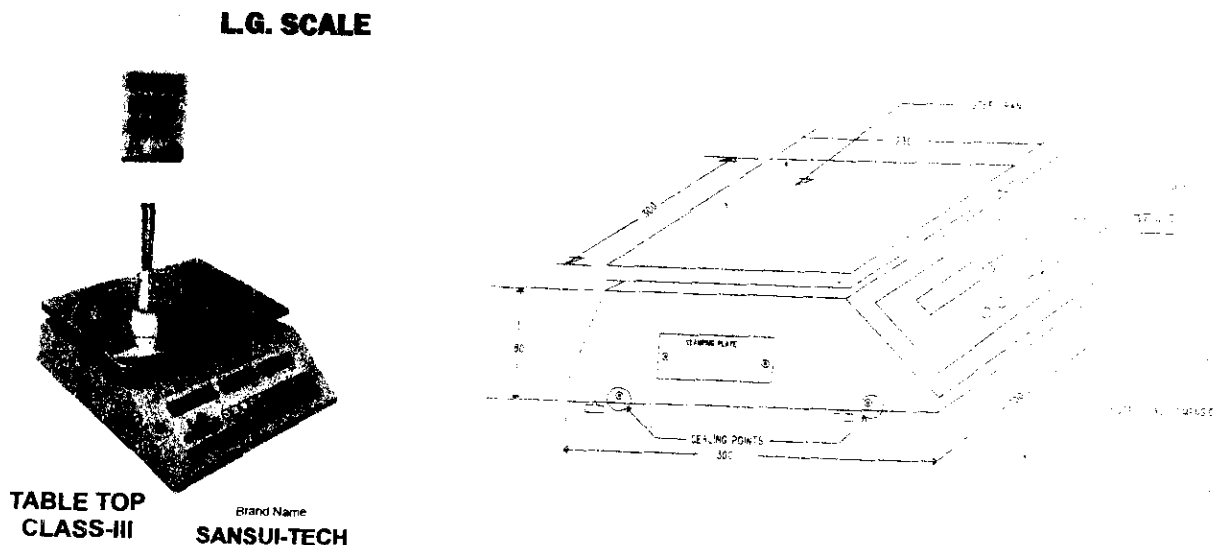


Figure-2 : Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

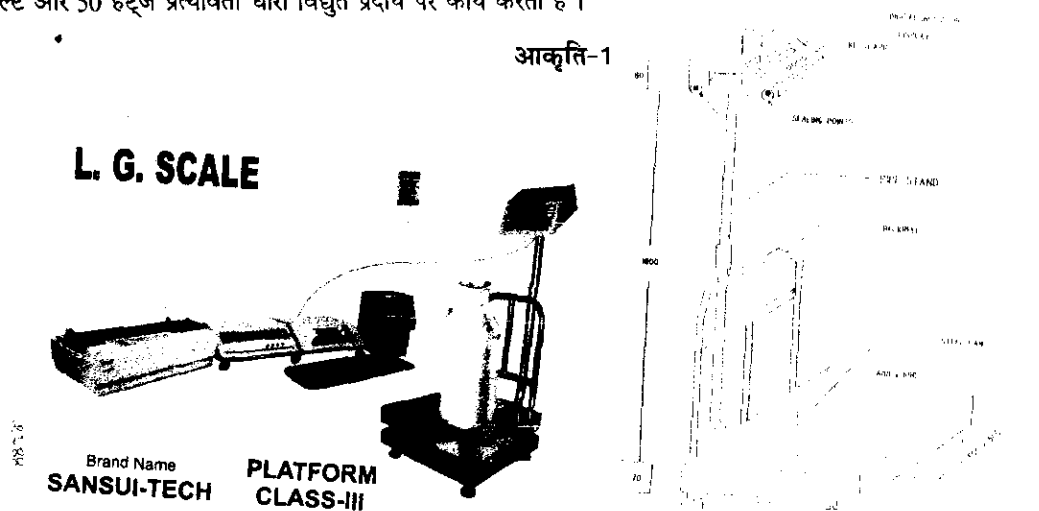
Further, in exercise of the power conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg to 2 g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

नई दिल्ली, 13 जुलाई, 2011

का. आ. 2588.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एल. जी. स्केल, प्लॉट नं. 108, वसंतदादा इंडस्ट्रियल एस्टेट, सांगली द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एलजीपी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "सनसुइ-टेक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/59 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप-डुअल इंटरवल-कि.ग्रा. को लीटर में बदलने और बिल प्रिंटिंग सुविधा सहित) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 4 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. से 500 कि.ग्रा. तक और 500 कि.ग्रा. से 1000 कि.ग्रा. तक 500 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(32)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th July, 2011

S.O. 2588.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform Type) with digital indication of Medium Accuracy (Accuracy Class-III) of series "LGP" and with brand name "SANSUI-TECH" (hereinafter referred to as the said model), manufactured by M/s L. G. Scale, Plot No. 108, Vasantdada Industrial Estate, Sangli and which is assigned the approval mark IND/09/11/59;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type-Dual Interval-with kg to litre conversion and bill printing facility) with a maximum capacity of 1,000 kg and minimum capacity of 4 kg. The verification scale interval (e) is 200 g upto 500 kg and above 500 kg and up to 1,000 kg is 500 g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

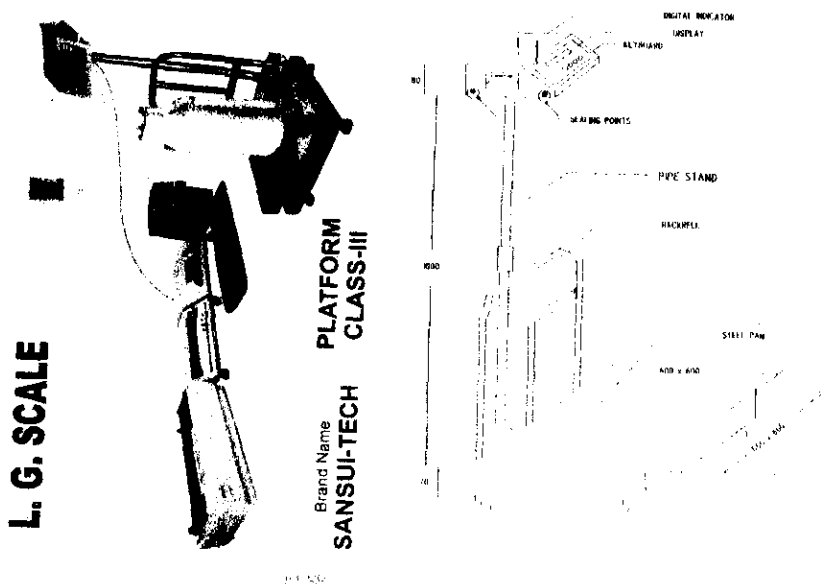


Figure-2 : Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity above 50 kg and upto 5,000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(32)2011]

B. N. DIXIT, Director of Legal Metrology

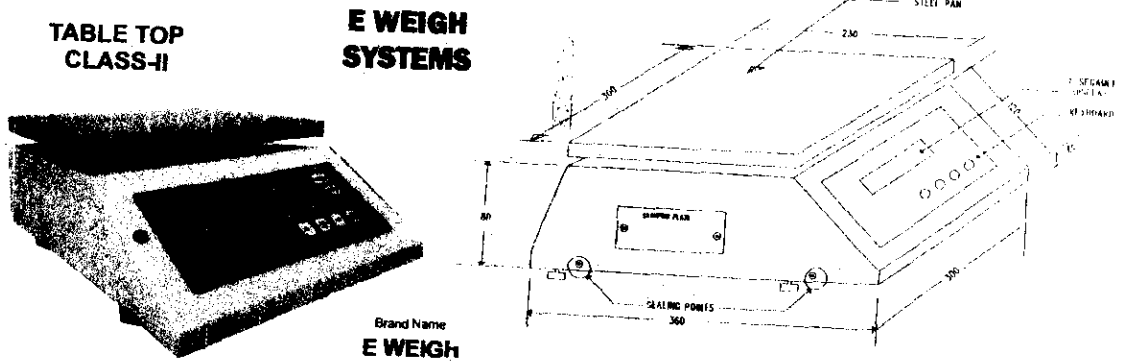
नई दिल्ली, 13 जुलाई, 2011

का. आ. 2589.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ई वेइंग सिस्टम, डी नं. 23-34-16, मनपल्लीवरी स्ट्रीट, लक्ष्मी नगर, सत्यनारायणपुरम, विजयवाड़ा-11 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “जे डब्ल्यू” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) के मॉडल का, जिसके ब्रांड का नाम “ई व्हे” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/46 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) है। इसकी अधिकतम क्षमता 12 कि.ग्रा. और न्यूनतम क्षमता 50 ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाँड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि. ग्रा. तक के “ई” मान के लिए 100 से 100,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(29)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th July, 2011

S.O. 2589.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of High Accuracy (Accuracy class-II) of series "JW" and with brand name "E WEIGH" (hereinafter referred to as the said model), manufactured by M/s E Weigh Systems, D. No. 23-34-16, Manepallivari Street, Lakshmi Nagar, Satyanarayanapuram, Vijayawada-11 and which is assigned the approval mark IND/09/11/46;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 12 kg and minimum capacity of 50 g. The verification scale interval (e) is 1g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

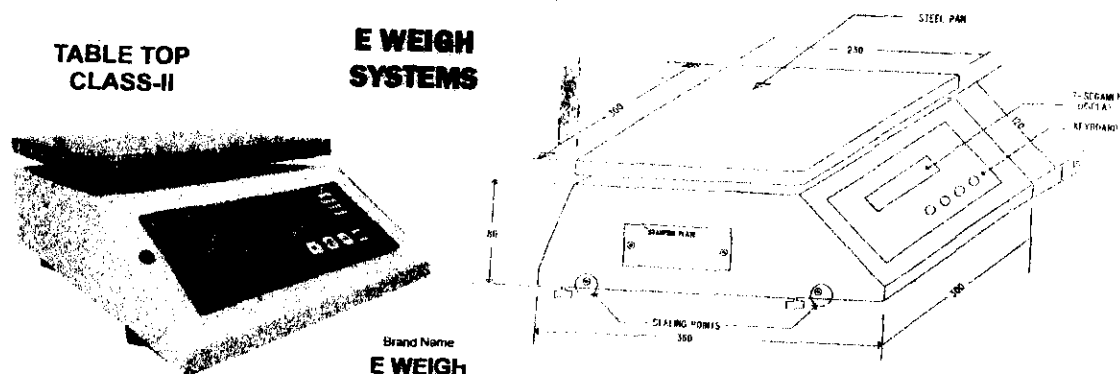


Figure-2 : Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said-model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (n) in the range of 100 to 100,000 for 'e' value of 1 mg to 50 mg and with verification scale interval (n) in the range of 5000 to 100,000 for 'e' value of 100 mg or more and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(29)/2011]

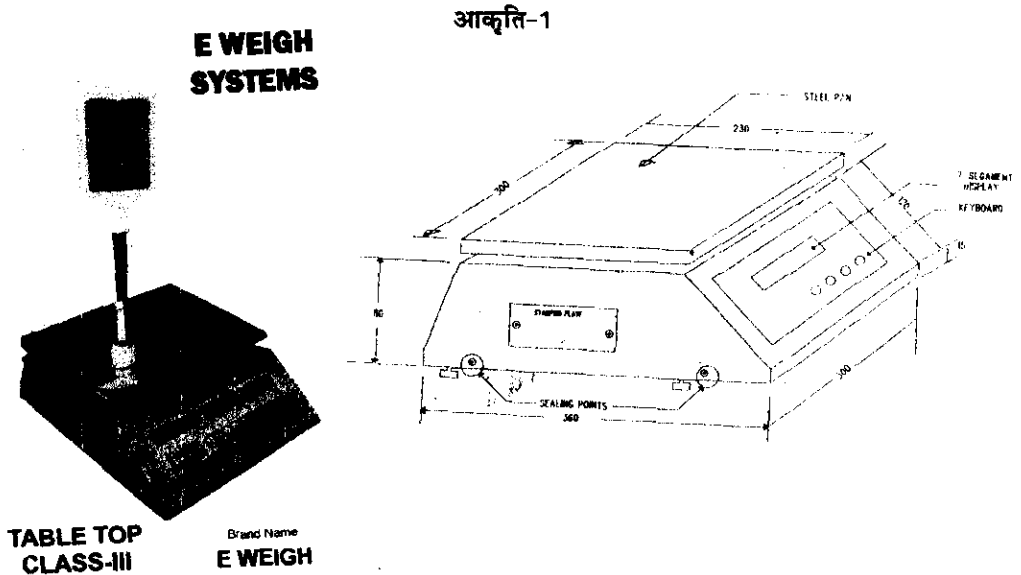
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 13 जुलाई, 2011

का. आ. 2590.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ई वेइग सिस्टम, डी नं. 23-34-16, मनपल्लीवरी स्ट्रीट, लक्ष्मी नगर, सत्यनारायणपुरम, विजयवाड़ा-11 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "टीटी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) के मॉडल का, जिसके ब्रांड का नाम "ई वे" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/47 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) है। इसकी अधिकतम क्षमता 10 कि.ग्रा. और न्यूनतम क्षमता 40 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(29)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th July, 2011

S.O. 2590.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of Medium Accuracy (Accuracy Class-III) of series "TT" and with brand name "E WEIGH" (hereinafter referred to as the said model), manufactured by M/s E Weigh Systems, D. No. 23-34-16, Manepallivari Street, Lakshmi Nagar, Satyanarayanapuram, Vijaywada-11 and which is assigned the approval mark IND/09/11/47;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 10 kg and minimum capacity of 40 g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

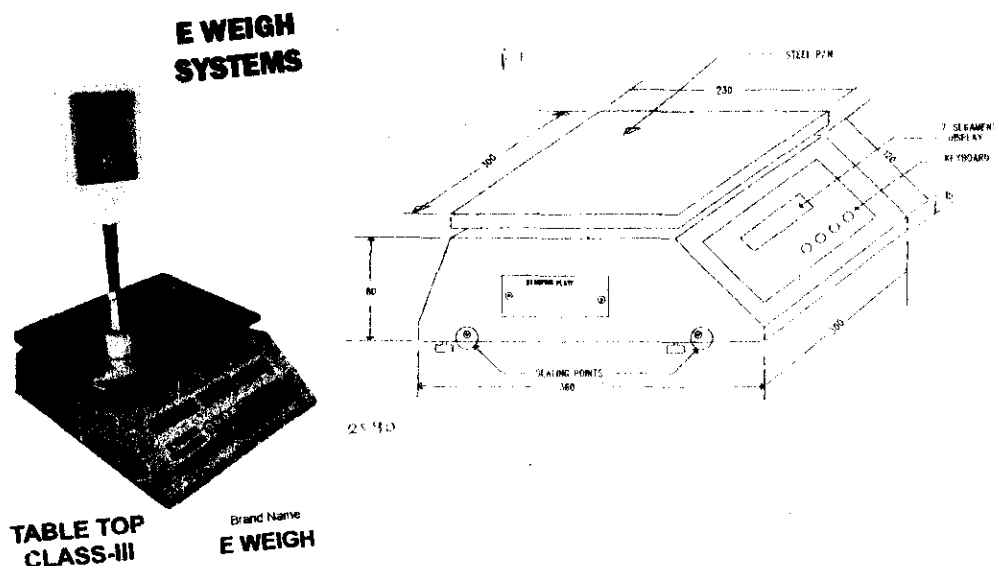


Figure-2: Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg to 2 g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g or more and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(29)/2011]

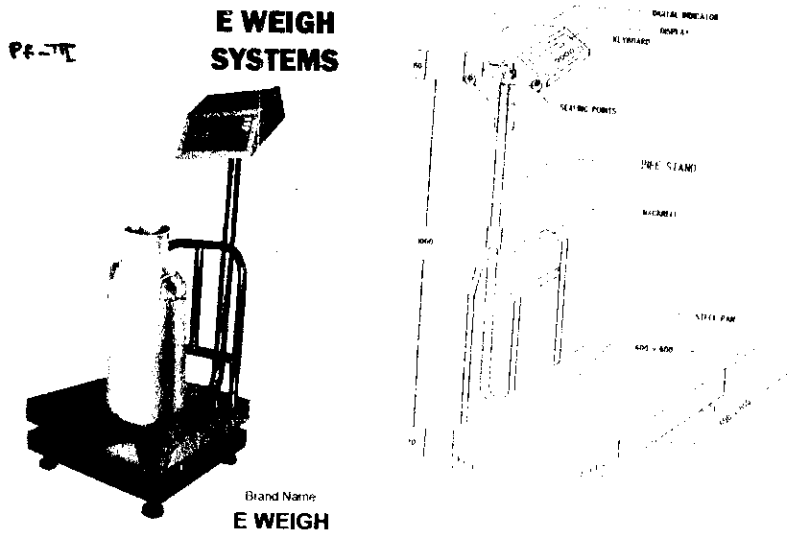
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 13 जुलाई, 2011

का. आ. 2591.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ई वेइग सिस्टम, डी नं. 23-34-16, मनपल्लीवरी स्ट्रीट, लक्ष्मी नगर, सत्यनारायणपुरम, विजयवाड़ा-11 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “पी एफ” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफॉर्म टाइप डुअल इंटरवल) के मॉडल का, जिसके ब्रांड का नाम “ई व्हे” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/48 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफॉर्म टाइप डुअल इंटरवल) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. 500 कि.ग्रा. तक और 500 कि.ग्रा. से 1000 कि.ग्रा. तक 500 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समान होंगे;

[फा. सं. डब्ल्यू एम 21(29)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th July, 2011

S.O. 2591.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform Type–Dual Interval) with digital indication of Medium Accuracy (Accuracy class-III) of series “PF” and with brand name “E WEIGH” (hereinafter referred to as the said model), manufactured by M/s E Weigh Systems, D. No. 23-34-16, Manepallivari Street, Lakshmi Nagar, Satyanarayanapuram, Vijayawada-11 and which is assigned the approval mark IND/09/11/48;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type–Dual Interval) with a maximum capacity of 1000 kg and minimum capacity of 4 kg. The verification scale interval (e) is 200g. up to 500 kg and above 500 kg and up to 1000 kg is 500g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

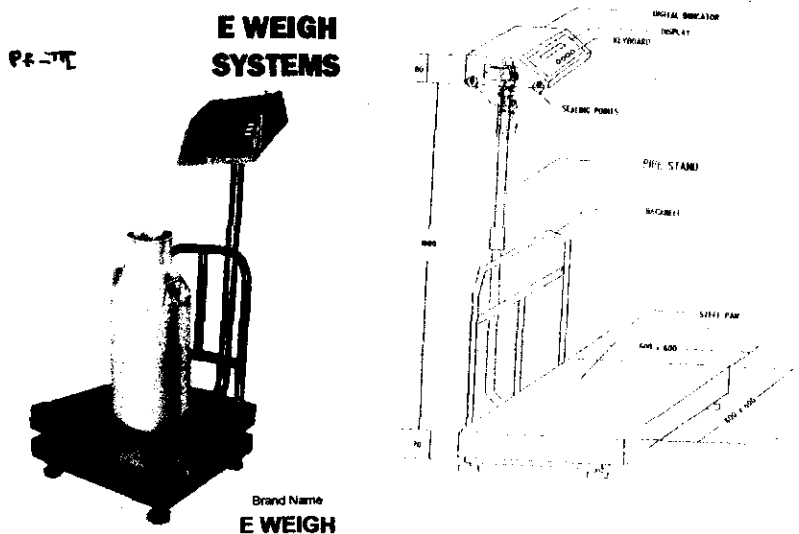


Figure-2: Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity above 50 kg and upto 5,000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(29)/2011]

B. N. DIXIT, Director of Legal Metrology

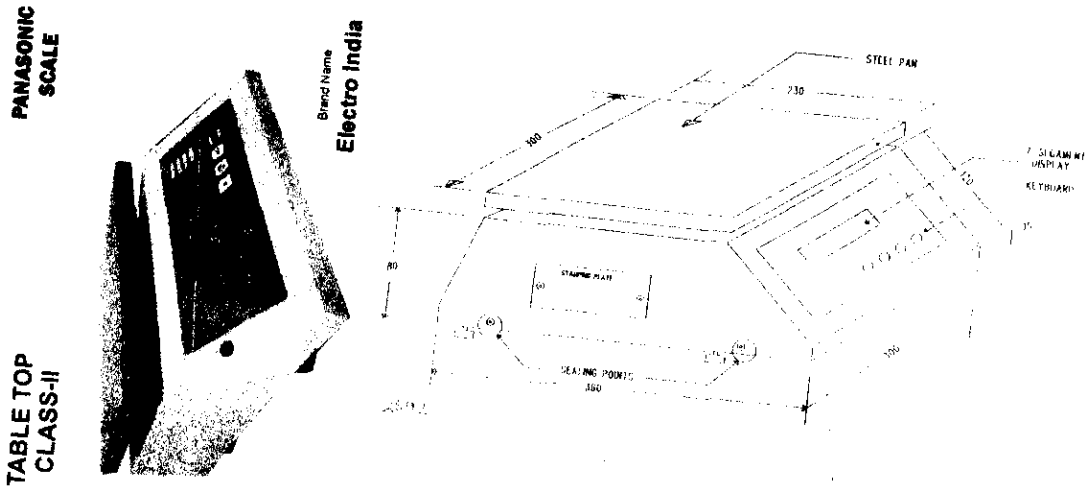
नई दिल्ली, 13 जुलाई, 2011

का. आ. 2592.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पेनासोनिक स्केल, प्लाट नं. 106, गाला नं. 8, चारुभाई शाह काम्पलैक्स, सांगली द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "ईआई-जेडब्ल्यू" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) के मॉडल का, जिसके ब्रांड का नाम "इलेक्ट्रो इंडिया" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/66 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) है। इसकी अधिकतम क्षमता 6 कि.ग्रा. और न्यूनतम क्षमता 25 ग्रा. है। सत्यापन मापमान अंतराल (ई) 0.5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(35)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th July, 2011

S.O. 2592.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Type) with digital indication of High Accuracy (Accuracy class-II) of series "EI-JW" and with brand name "ELECTRO INDIA" (hereinafter referred to as the said model), manufactured by M/s Panasonic Scale, Plot No. 106, Gala No. 8, Charubhai Shaha Complex, Sangli and which is assigned the approval mark IND/09/11/66;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 6 kg and minimum capacity of 25 g. The verification scale interval (e) is 0.5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

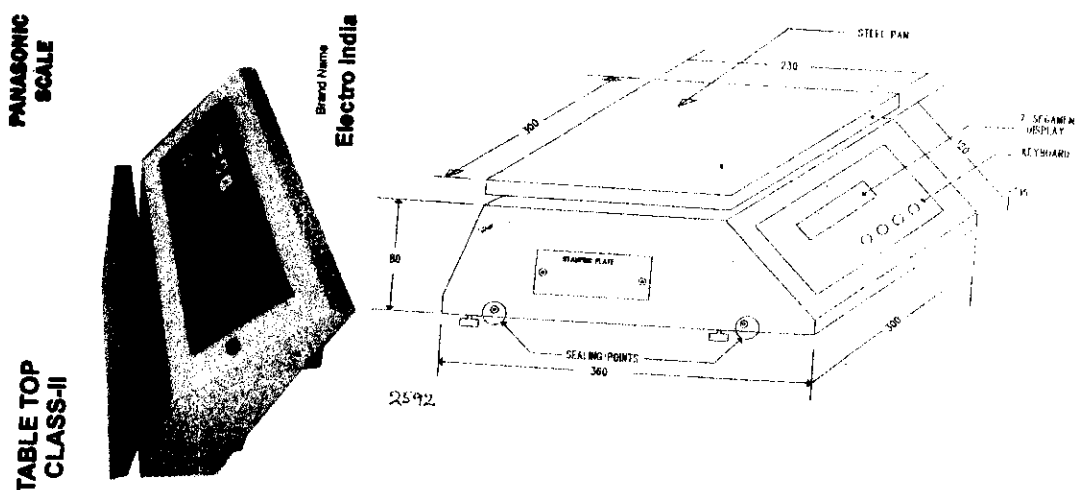


Figure-2: Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

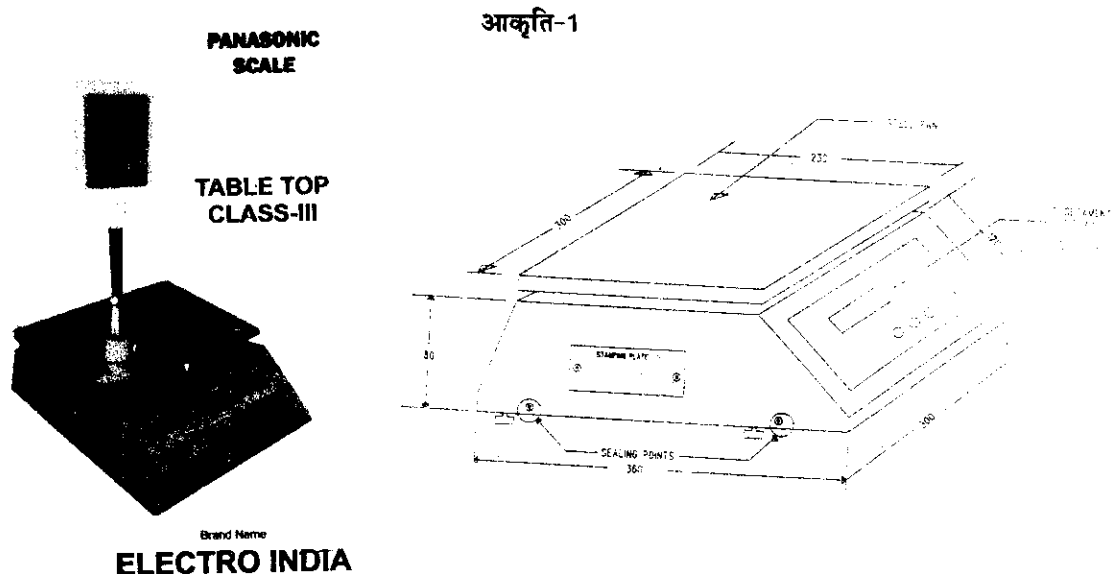
Further, in exercise of the power conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (n) in the range of 100 to 1,00,000 for 'e' value of 1 mg to 50 mg and with verification scale interval (n) in the range of 5,000 to 100,000 for 'e' value of 100 mg or more and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

नई दिल्ली, 13 जुलाई, 2011

का. आ. 2593.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पेनासोनिक स्केल, प्लाट नं. 106, गाला नं. 8, चारुभाई शाह काम्पलैक्स, सांगली द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “ईआई-टीटी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप टाइप-डुअल इंटरवल) के मॉडल का, जिसके ब्रांड का नाम “इलेक्ट्रो इंडिया” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/67 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप टाइप-डुअल इंटरवल) है। इसकी अधिकतम क्षमता 12 कि.ग्रा. और न्यूनतम क्षमता 20 ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 ग्रा. से 6 कि.ग्रा. तक और 6 कि.ग्रा. से 12 कि.ग्रा. तक 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाँड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(35)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

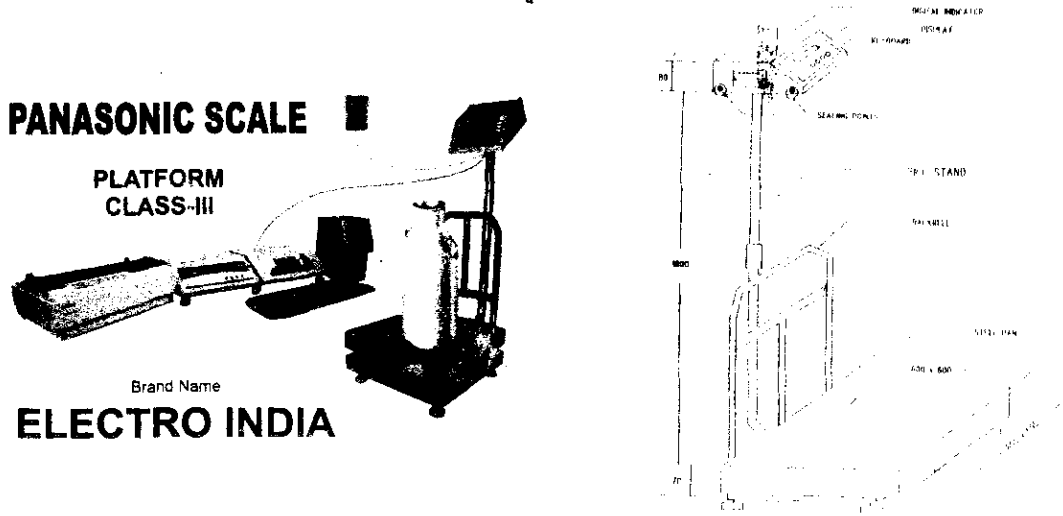
नई दिल्ली, 13 जुलाई, 2011

का. आ. 2594.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स पेनासोनिक स्केल, प्लॉट नं. 106, गाला नं. 8, चारुभाई शाह काम्पलैक्स, सांगली द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “ईआई-पीएफ” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफॉर्म टाइप) के मॉडल का, जिसके ब्रांड का नाम “इलेक्ट्रो इंडिया” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन विह आई एन डी/09/11/68 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफॉर्म टाइप-डुअल इंटरवल-कि.ग्रा. को लीटर में बदलने और बिल प्रिंटिंग सुविधा सहित) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. से 500 कि.ग्रा. तक और 500 कि.ग्रा. से 1000 कि.ग्रा. तक 500 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाँड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिज़ाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(35)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 13th July, 2011

S.O. 2594.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Plate form Type) with digital indication of Medium Accuracy (Accuracy class-III) of series "EI-PF" and with brand name "ELECTRO INDIA" (hereinafter referred to as the said model), manufactured by M/s Panasonic Scale, Plot No. 106, Gala No. 8, Charubhai Shaha Complex, Sangli and which is assigned the approval mark IND/09/11/68;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type-Dual Interval— with kg to litre conversion and bill printing facility) with a maximum capacity of 1000 kg and minimum capacity of 4 kg. The verification scale interval (e) is 200 g up to 500 kg and above 500 kg and up to 1000 kg is 500 g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

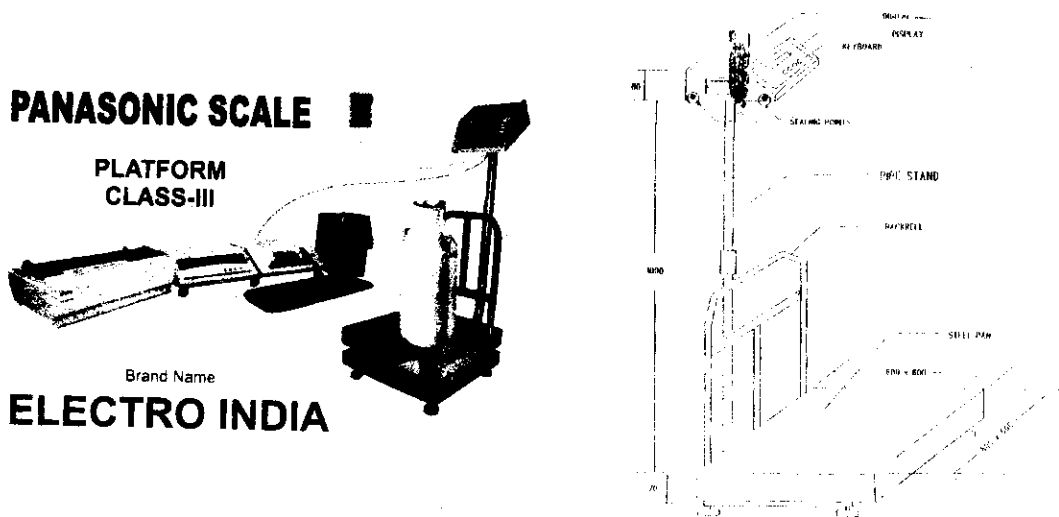


Figure-2 : Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity above 50 kg and up to 5000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g or more and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(35)/2011]

B. N. DIXIT, Director of Legal Metrology

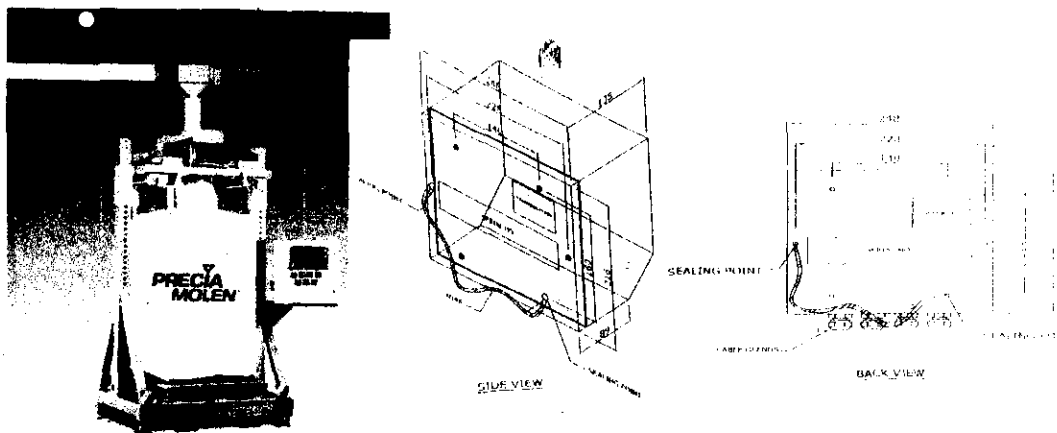
नई दिल्ली, 15 जुलाई, 2011

का. आ. 2595.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स परेसिआ मोलेन इंडिया लि., एल 13, डा. वीएसआई एस्टेट, फेज-II, थिरुवनमियुर, चेन्नै-600041 तमिलनाडु द्वारा विनिर्मित यथार्थता वर्ग, X(1) जहां $x = 1$ वाले "पीएम-बीएजी" शृंखला के स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण के मॉडल का जिसके ब्रांड का नाम "परेसिआ मोलेन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/156 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण है। इसकी अधिकतम क्षमता 50 कि. ग्रा. और 'डी' वेल्यू 5 ग्रा. के साथ उत्पाद की मात्रा और प्रकृति पर निर्भर करते हुए इसकी बारम्बारता 15 फिल्ट्स प्रति मिनट है। मशीन को सभी प्रकार के फ्री फ्लोइंग मेटिरियल जैसे कैमिकल्स, चीनी, सूजी, रवा आदि भरने के लिए डिजाइन किया गया है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

स्टाम्प और सील के सत्यापन के लिए इंडीकेटर के पिछली तरफ, कवर और ब्रेकिट के ऊपर से चार बोर्ड स्कू में से लीडिड सीलिंग वायर कसा गया है। सील से छेड़छाड़ किए बिना इंडीकेटर को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 50 कि.ग्रा. तक की क्षमता वाले हैं।

[फा. सं. डब्ल्यू एम-21(74)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 15th July, 2011

S.O. 2595.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Automatic Gravimetric Filling Instrument belonging to Accuracy Class, X(1) where $x = 1$ of series "PM-BAG" and with brand name "PRECIA MOLEN" (hereinafter referred to as the said model), manufactured by M/s. Precia Molen India Limited, L 13, Dr. VSI Estate, Phase II, Thiruvanniyur, Chennai-600041, T.N. and which is assigned the approval mark IND/09/11/156;

The said model is a strain gauge type load cell based Automatic Gravimetric Filling Instrument. It has maximum capacity of 50 kg and 'd' value of 5 g with a frequency of 15 fills per minute depending upon the quantity and nature of the product. The machine is designed for filling all types of free flowing materials like chemicals, sugar, suji, rawa etc. The Graphic Liquid Crystal Display (LCD) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

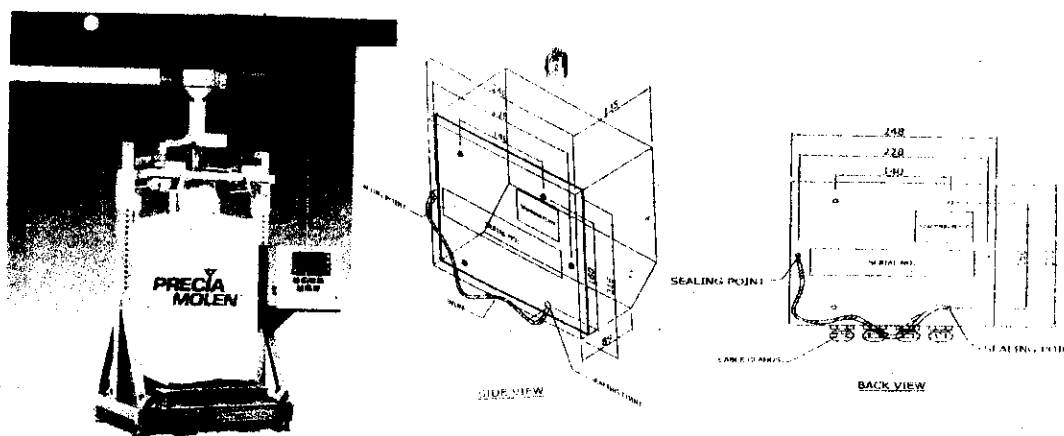


Figure-2 : Schematic Diagram of sealing provision of the model

On the rear side of the indicator, a leaded sealing wire is fastened through four bored screws, passing over the cover and bracket, for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity upto 50 kg manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(74)/2011]

B. N. DIXIT, Director of Legal Metrology

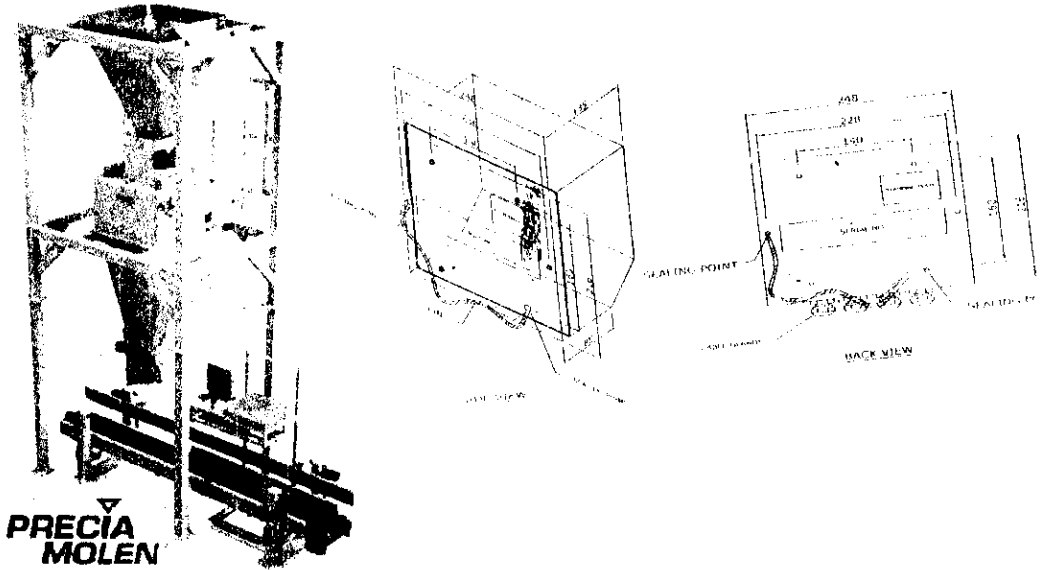
नई दिल्ली, 15 जुलाई, 2011

का. आ. 2596.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स परेसिआ मोलेन इंडिया लि., एल 13, डा. वीएसआई एस्टेट, फेज-II, थिरुवनमियुर, चेन्नै-600041 तमिलनाडु द्वारा विनिर्मित यथार्थता वर्ग, X(1) जहां $x = 1$ वाले "पीएम-जेबीएजी" शृंखला के स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण के मॉडल का जिसके ब्रांड का नाम "परेसिआ मोलेन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/157 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और 'डी' वेल्यू 100 ग्रा., के साथ उत्पाद की मात्रा और प्रकृति पर निर्भर करते हुए इसकी बारम्बारता 5 फिल्स प्रति मिनट है। मशीन को सभी प्रकार के फ्री फ्लोइंग मेटिरियल जैसे कैमिकल्स, चीनी, सूजी, रवा आदि भरने के लिए डिजाइन किया गया है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

स्टाम्प और सील के स्थापन के लिए इंडीकेटर के पिछली तरफ, कवर और ब्रैकेट के ऊपर से चारबोरेड स्क्रू में से लीडिड सीलिंग वायर कसा गया है। सील से छोड़-छाड़ किए बिना इंडीकेटर को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 50 कि.ग्रा. से 1000 कि.ग्रा. तक की क्षमता वाले हैं।

[फा. सं. डब्ल्यू एम 21(74)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 15th July, 2011

S.O. 2596.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Automatic Gravimetric Filling Instrument belonging to Accuracy Class, X(1) where $x = 1$ of series "PM-JBAG" and with brand name "PRECIA MOLEN" (hereinafter referred to as the said model), manufactured by M/s. Precia Molen India Limited, L 13, Dr. VSI Estate, Phase II, Thiruvannmiyur, Chennai-600041, T.N. and which is assigned the approval mark IND/09/11/157;

The said model is a strain gauge type load cell based Automatic Gravimetric Filling Instrument. It has maximum capacity of 1000 kg and d value of 100 g with a frequency of 5 fills per minute depending upon the quantity and nature of the product. The machine is designed for filling all types of free flowing materials like chemicals, sugar, suji, rawa etc. The Light Graphic Liquid Crystal Display (LCD) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

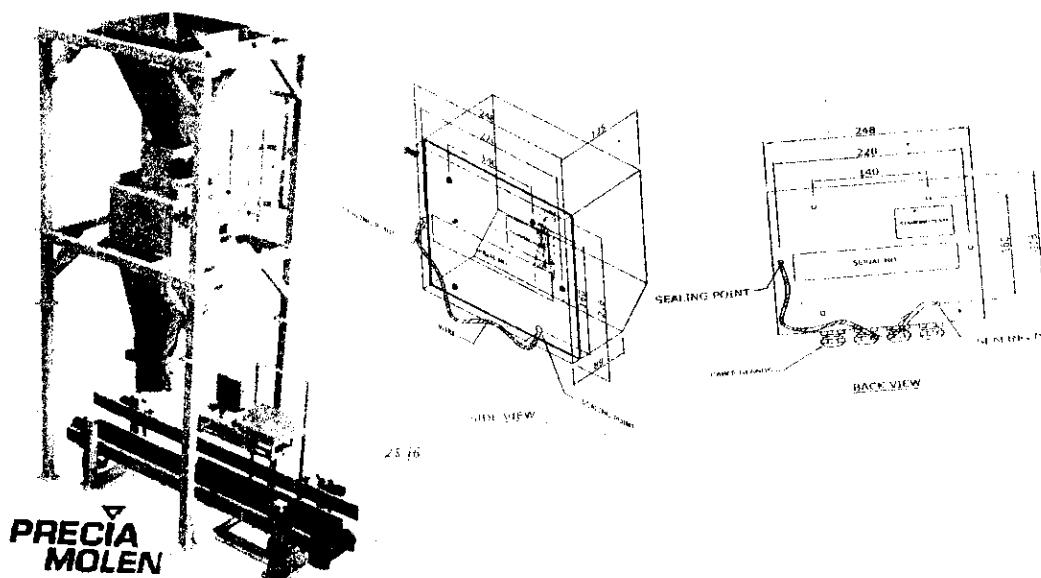


Figure-2 : Schematic Diagram of sealing provision of the model

On the rear side of the indicator, a leaded sealing wire is fastened through four bored screws, passing over the cover and bracket, for receiving the verification stamp and seal. The indicator cannot be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg to 1000 kg manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

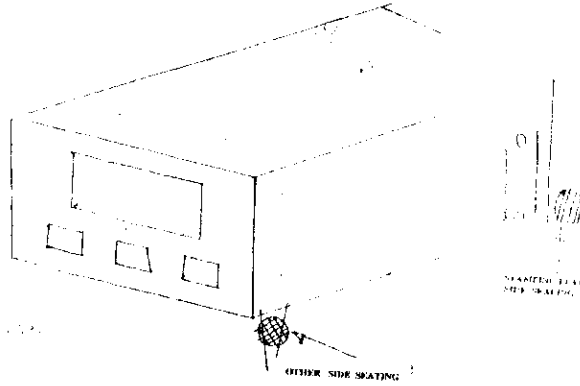
नई दिल्ली, 15 जुलाई, 2011

का. आ. 2597.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एलडर इंस्ट्रुमेंट्स प्रा.लि., डब्ल्यू 345, टीटीसी इंडस्ट्रियल एरिया, राबेल एमआईडीसी, नवी मुंबई-400701 द्वारा विनिर्मित यथार्थता वर्ग, X(1) जहां $x = 1$ वाले "एफएसएलडी 06" शृंखला के स्वचालित ग्रेविमेट्रिक (लिव्विड) फिलिंग उपकरण के मॉडल का जिसके ब्रांड का नाम "एलडर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/80 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रेविमेट्रिक (लिव्विड) फिलिंग उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. या 1000 लीटर न्यूनतम क्षमता 100 कि.ग्रा. या 100 लीटर और 'डी' वेल्यू 100 ग्रा. या 100 मि.ली. के साथ उत्पाद की मात्रा और प्रकृति पर निर्भर करते हुए इसकी बारम्बारता 20 फिल्स प्रति घंटा है। मशीन को सभी प्रकार के इंडस्ट्रियल ऑयल, वाटर आदि भरने के लिए डिजाइन किया गया है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

स्टाम्प और सील के सत्यापन के लिए इंडीकेटर के पिछली तरफ, कवर और ब्रैकेट के ऊपर से चार बोर्ड स्कू में से लीडिड सीलिंग वायर कसा गया है। सील से छेड़छाड़ किए बिना इंडीकेटर को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5000 कि.ग्रा. या 5000 लीटर तक की क्षमता वाले हैं।

[फा. सं. डब्ल्यू एम 21(39)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 15th July, 2011

S.O. 2597.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Automatic Gravimetric (Liquid) Filling Instrument belonging to Accuracy Class, X(1) where $x = 1$ of series "FSLD 06" and with brand name "ELDER" (hereinafter referred to as the said model), manufactured by M/s. Elder Instruments Pvt. Ltd., W-345, T.T.C. Industrial Area, Rabale M.I.D.C. Navi Mumbai-400701 and which is assigned the approval mark IND/09/11/80;

The said model is a strain gauge type load cell based Automatic Gravimetric (Liquid) Filling Instrument. It has maximum capacity of 1000 kg or 1000 litre, Minimum capacity of 100 kg or 100 litre and d value of 100 g or 100 ml. with a frequency of 20 fills per hour depending upon the quantity and nature of the product. The machine is designed for filling all types of Industrial Oil, Water etc. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

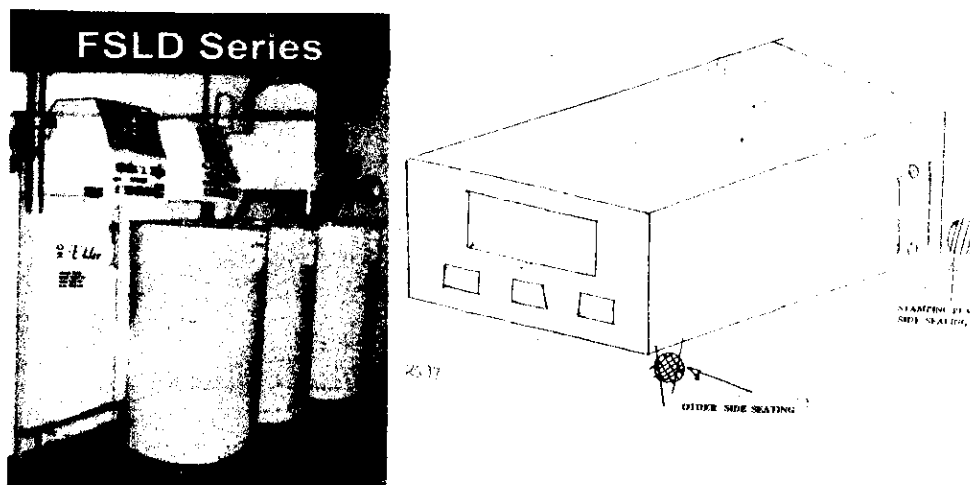


Figure-2: Schematic Diagram of sealing provision of the model

On the rear side of the indicator, a leaded sealing wire is fastened through four bored screws, passing over the cover and bracket, for receiving the verification stamp and seal. The indicator cannot be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

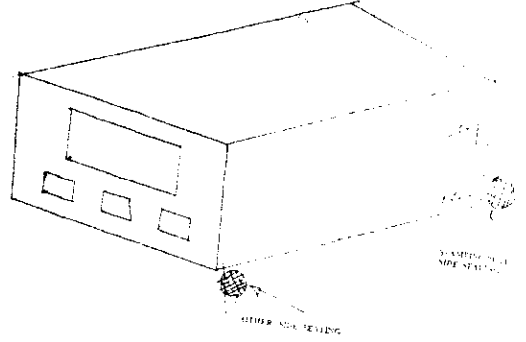
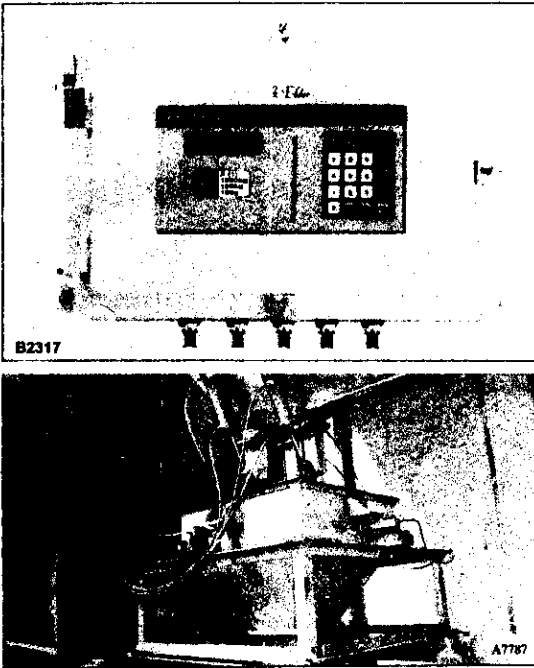
Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity upto 5000 kg or 5000 litre manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

नई दिल्ली, 15 जुलाई, 2011

का. आ. 2598.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एलडर इंस्ट्रुमेंट्स प्रा. लि., डब्ल्यू 345, टीटीसी इंडस्ट्रियल एरिया, राबेल एमआईडीसी, नवी मुंबई-400701 द्वारा विनिर्मित यथार्थता वर्ग, X(1) जहां $x = 1$ वाले "एफएसबीडी 07" शृंखला के स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण के मॉडल का जिसके ब्रांड का नाम "एलडर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/81 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. न्यूनतम क्षमता 100 कि. ग्रा. और 'डी' वेल्यू 100 ग्रा. के साथ उत्पाद की मात्रा और प्रकृति पर निर्भर करते हुए इसकी बारम्बारता 20 फिल्स प्रति मिनट है। मशीन को सभी प्रकार के अनाज, प्लास्टिक सीड, सॉफ्ट सेंड आदि भरने के लिए डिजाइन किया गया है। प्रकाश उत्सर्जनक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

स्टाम्प और सील के स्थापन के लिए इंडीकेटर के पिछली तरफ, कवर और ब्रैकेट के ऊपर से चार बोर्ड स्कू में से लीडिड सीलिंग वायर कसा गया है। सील से छेड़छाड़ किए बिना इंडीकेटर को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5000 कि.ग्रा. तक की क्षमता वाले हैं।

[फा. सं. डब्ल्यू एम-21(39)/2011]

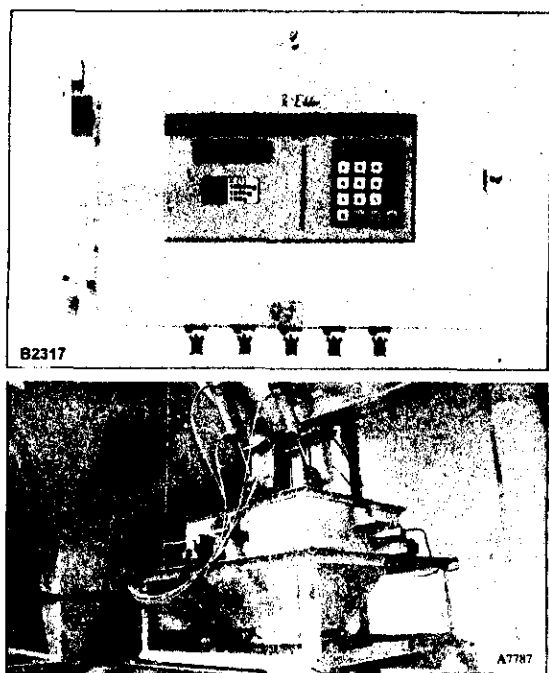
बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 15th July, 2011

S.O. 2598.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Automatic Gravimetric Filling Instrument belonging to Accuracy Class, X(1) where $x = 1$ of series "FSBD 07" and with brand name "ELDER" (hereinafter referred to as the said model), manufactured by M/s. Elder Instruments Pvt. Ltd., W-345, T.T.C. Industrial Area, Rabale M.I.D.C. Navi Mumbai-400701 and which is assigned the approval mark IND/09/11/81;

The said model is a strain gauge type load cell based Automatic Gravimetric Filling Instrument. It has maximum capacity of 1000 kg, Minimum capacity of 100 kg and 'd' value of 100 g with a frequency of 20 fills per minute depending upon the quantity and nature of the product. The machine is designed for filling all types of grain, plastic seed, soft sand etc. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



ire-1

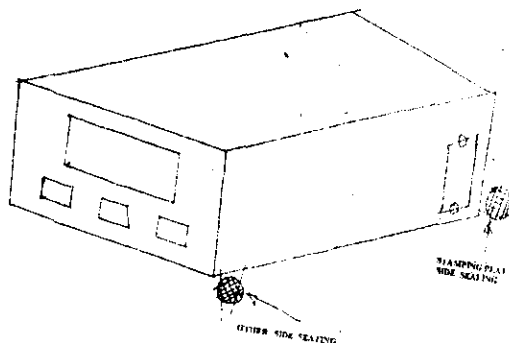


Figure-2: Schematic Diagram of the sealing provision of the model

On the rear side of the indicator, a leaded sealing wire is fastened through four bored screws, passing over the cover and bracket, for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity upto 5000 kg manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(39)/2011]

B. N. DIXIT, Director of Legal Metrology

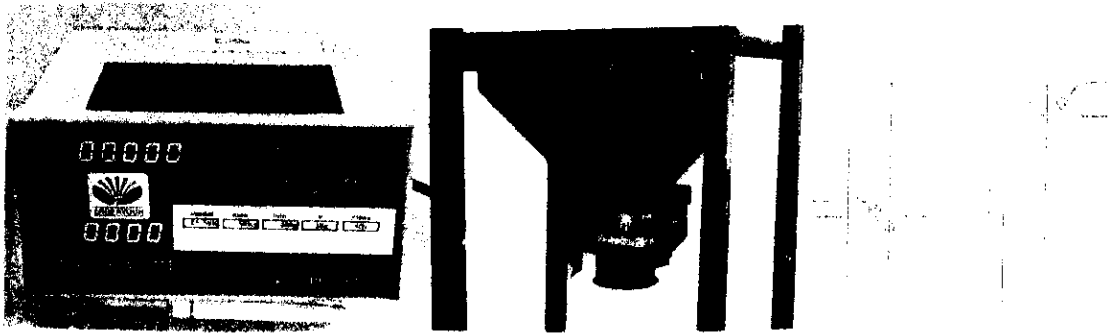
नई दिल्ली, 9 अगस्त, 2011

का. आ. 2599.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एंडावर इक्विपमेंट प्रा. लि., 45/3, चंगोदरिंद एस्टेट, ए'बाद जिला, को-ऑप. बैंक रोड, एस.टी. बस स्टैंड के पास, सरखेज बवला हाइवे, चंदगोदर-382213 द्वारा विनिर्मित यथार्थता वर्ग, X(1) जहां $x = 1$ वाले स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण के मॉडल का, जिसके ब्रांड का नाम "एंडावर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/08 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण है। इसकी अधिकतम क्षमता 50 कि.ग्रा. और न्यूनतम क्षमता 400 ग्रा. और 'डी' वेल्यू 20 ग्रा. के साथ उत्पाद की मात्रा और प्रकृति पर निर्भर करते हुए इसकी बारम्बारता 7 फिल्स प्रति मिनट है। मशीन को सभी प्रकार के अनाज, बीज, चावल आदि भरने के लिए डिज़ाइन किया गया है। लिक्विड क्रिस्टल डायोड (एल सी डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

स्टाम्प और सील के सत्यापन के लिए इंडीकेटर के पिछली तरफ, कवर और ब्रैकेट के ऊपर से चार बोर्ड स्कू में से लीडिड सीलिंग कायर कसा गया है। सील से छेड़-छाड़ किए बिना इंडीकेटर को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिज़ाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 टन तक की क्षमता वाले हैं।

[फा. सं. डब्ल्यू एम-21(06)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th August, 2011

S.O. 2599.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of Automatic Gravimetric Filling Instrument belonging to Accuracy Class, X(1) where $x = 1$ with brand name "Endeavour" (hereinafter referred to as the said model), manufactured by M/s. Endeavour Instrument Pvt. Ltd., 45/3, Changodarind Estate, A'bad. Dist. Co-op. Bank Road, Nr. S.T. Bus Stand, Sarkhej Bavla Highway, Changodar-382213 and which is assigned the approval mark IND/09/11/08;

The said model is a strain gauge type load cell based Automatic Gravimetric Filling Instrument. It has maximum capacity of 50 kg, Minimum capacity of 400 g and d value of 20 g with a frequency of 7 fills per minute depending upon the quantity and nature of the product. The machine is designed for filling all types of grain, seed, rice etc. The Liquid Crystal Display (LCD) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

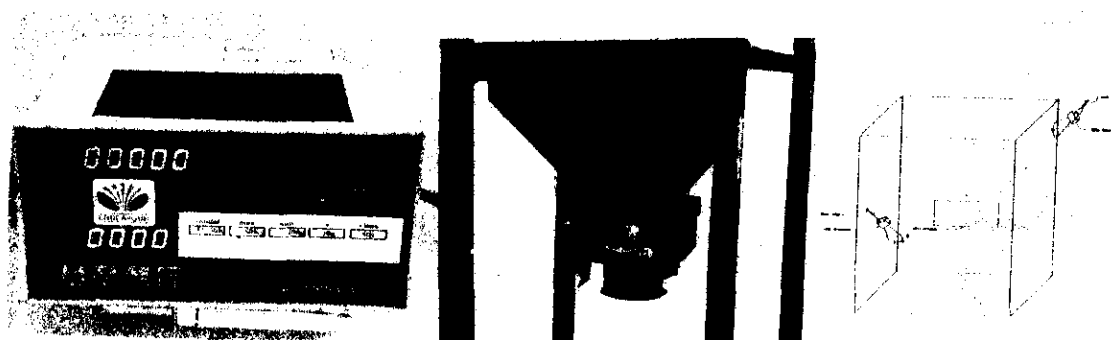


Figure-2: Schematic Diagram of sealing provision of the model

On the rear side of the indicator, a leaded sealing wire is fastened through four bored screws, passing over the cover and bracket, for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity upto 5 tonne manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(06)/2011]

B. N. DIXIT, Director of Legal Metrology

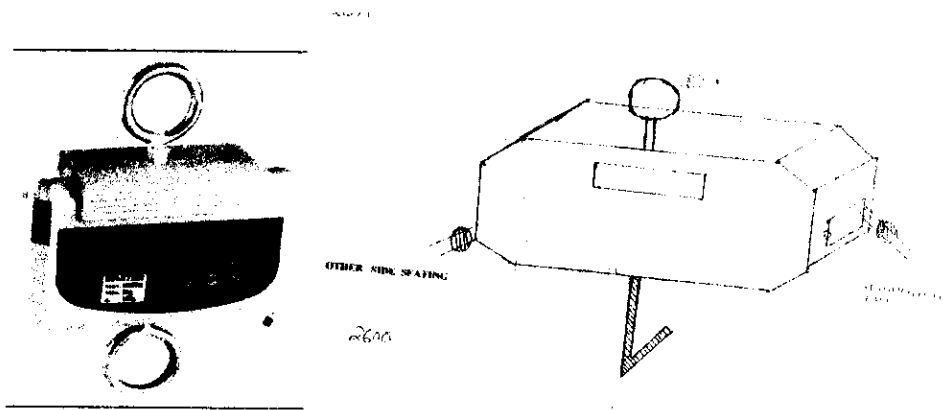
नई दिल्ली, 9 अगस्त, 2011

का. आ. 2600.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एसीई कारपोरेशन, एस नं. 137, शेड नं. 3 व 4, प्रथम तल, छकंकर इंडस्ट्रीयल एस्टेट, गणेश मंगल कार्यालय के सामने, नानदेड फाटा, सिंहागाड रोड, पुणे-411041 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एमएच-5” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (हैंगिंग स्केल) के मॉडल का, जिसके ब्रांड का नाम “मास्टर” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/04 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है,

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (हैंगिंग स्केल) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर सीलिंग की गई है। डिस्पले की बेस प्लेट और टाप कवर के छेद से सील को जोड़ा गया है, तब सील वायर इन दोनों छेदों में से निकाल का सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या इससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(03)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th July, 2011

S.O. 2600.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Hanging Scale) with digital indication of medium accuracy (Accuracy class-III) of series "MH-5" and with brand name "MASTER" (hereinafter referred to as the said model), manufactured by M/s ACE Corporation, S. No. 137, Shed Nos. 3 & 4, 1st Floor, Chakankar Industrial Estate, Opp. Ganesh Mangal Karyalay, Nanded Phata, Sinhagad Road, Pune-411041 and which is assigned the approval mark IND/09/11/04;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Hanging Scale) with a maximum capacity of 1000 kg and minimum capacity of 2 kg. The verification scale interval (e) is 100 g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

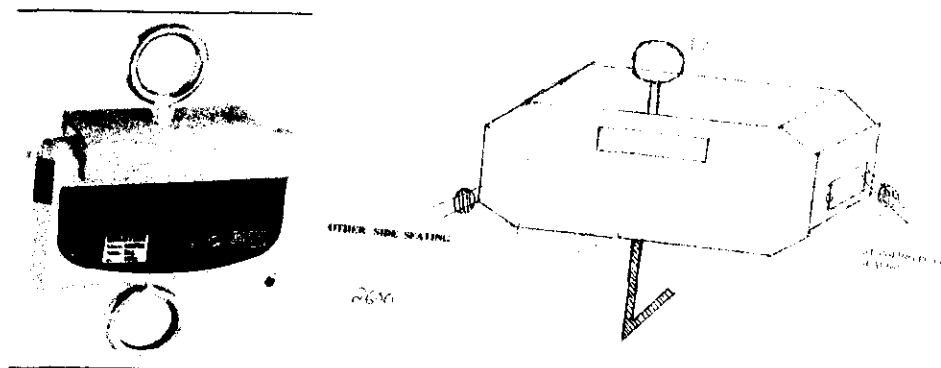


Figure-2 : Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 5 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(03)/2011]

B. N. DIXIT, Director of Legal Metrology

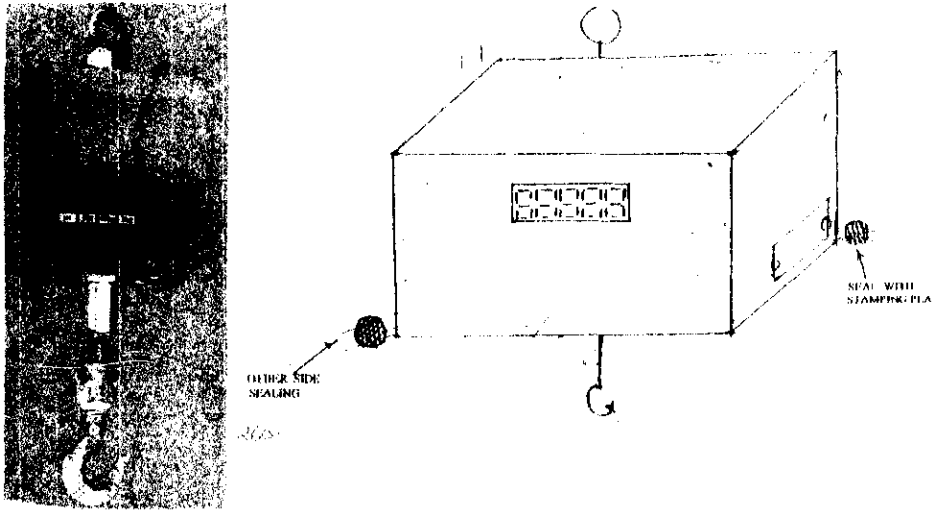
नई दिल्ली, 9 अगस्त, 2011

का. आ. 2601.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एसीई कारपोरेशन, एस नं. 137, शेड नं. 3 व 4, प्रथम तल, छकंकर इंडस्ट्रीयल एस्टेट, गणेश मंगल कार्यालय के सामने, नानदेड फाटा, सिंहागाड रोड, पुणे-411041 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एमसीआर-3” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (क्रैन टाइप) के मॉडल का, जिसके ब्रांड का नाम “मास्टर” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/05 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (क्रैन टाइप) है। इसकी अधिकतम क्षमता 10,000 कि.ग्रा. और न्यूनतम क्षमता 40 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

स्केल की बॉडी में से सीलिंग वायर निकाल कर स्केल के राइट साइड/लेफ्ट साइड में सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(03)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th August, 2011

S.O. 2601.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Crane Type) with digital indication of medium accuracy (Accuracy class-III) of series "MCR-3" and with brand name "MASTER" (hereinafter referred to as the said model), manufactured by M/s Ace Corporation, S. No. 137, Shed No. 3 & 4, 1st Floor, Chakankar Industrial Estate, Opp. Ganesh Mangal Karyalay, Nanded Phata, Sinhagad Road, Pune-41104 and which is assigned the approval mark IND/09/11/05;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Crane type) with a maximum capacity of 10,000 kg and minimum capacity of 40 kg. The verification scale interval (e) is 2 kg. It has a tare device with a 100% subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

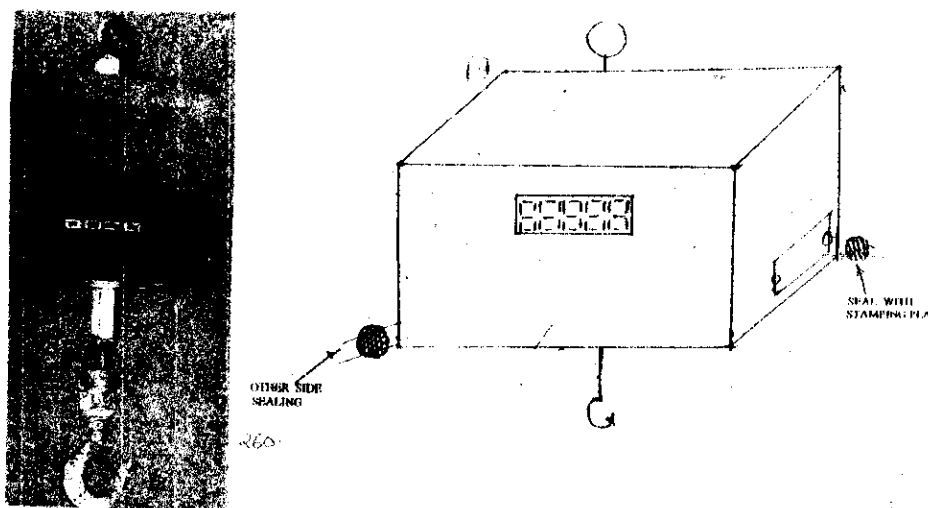


Figure-2 : Schematic Diagram of sealing provision of the model

Sealing is done on the right side/left side of the display by passing sealing wire from the body of the display. The seal is connected by seal wire is passing through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

The Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value 5g or more and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(03)/2011]

B. N. DIXIT, Director of Legal Metrology

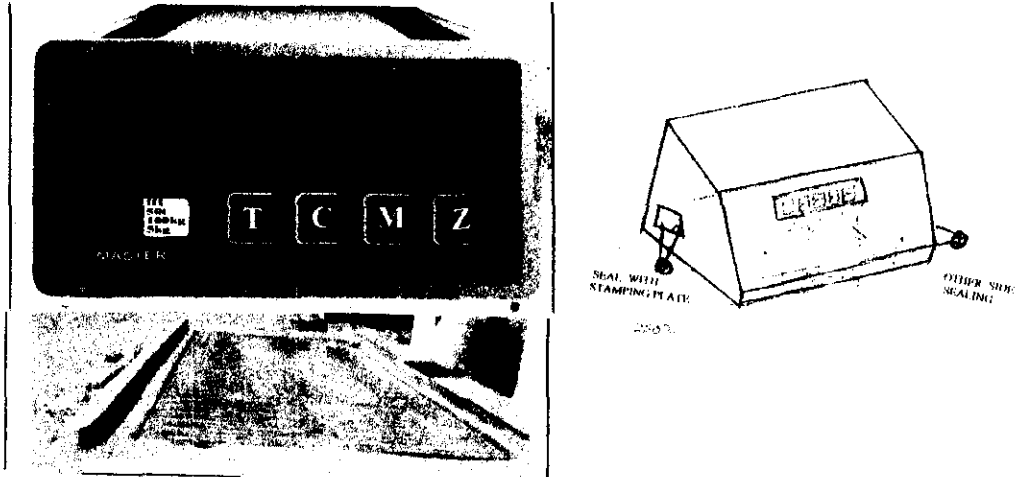
नई दिल्ली, 9 अगस्त, 2011

का. आ. 2602.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एसीई कारपोरेशन, एस नं. 137, शेड नं. 3 व 4, प्रथम तल, छकंकर इंडस्ट्रीयल एस्टेट, गणेश मंगल कार्यालय के सामने, नानदेड फाटा, सिंहागाड रोड, पुणे-411041 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एमडब्ल्यूडब्ल्यू-5" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज) के मॉडल का, जिसके ब्रांड का नाम "मास्टर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/06 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज) है। इसकी अधिकतम क्षमता 50 टन और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले के राइट साइड/बैक साइड में सीलिंग की गई है। डिस्पले की बेस प्लेट और टाप कवर के छेद से सील को जोड़ा गया है, तब सील वायर इन दोनों छेदों में से निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन तक पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे ज

5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 200 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(03)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th August, 2011

S.O. 2602.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Electronic Weighbridge) with digital indication of Medium Accuracy (Accuracy class-III) of series "MWW-5" and with brand name "MASTER" (hereinafter referred to as the said model), manufactured by M/s Ace Corporation, S. No. 137, Shed No. 3 & 4, 1st Floor, Chakandar Industrial Estate, Opp. Ganesh Mangal Karyalay, Nanded Phata, Sinhagad Road, Pune-411041 and which is assigned the approval mark IND/09/11/06;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Electronic Weighbridge) with a maximum capacity of 50 tonne and minimum capacity of 100 kg. The verification scale interval (e) is 5 kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

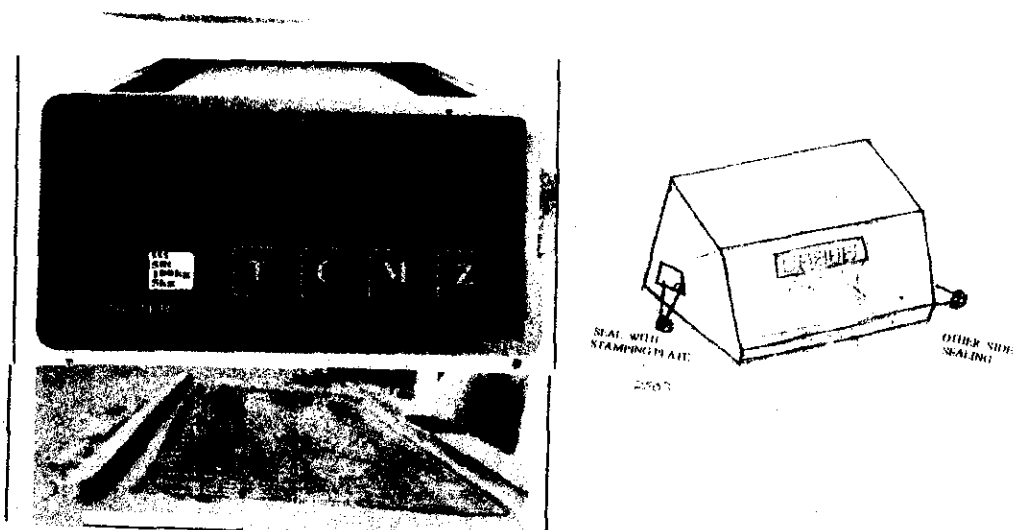


Figure-2 : Schematic Diagram of sealing provision of the model

Sealing is done on the right side/back side of the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and upto 200 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or above and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(03)/2011]

B. N. DIXIT, Director of Legal Metrology

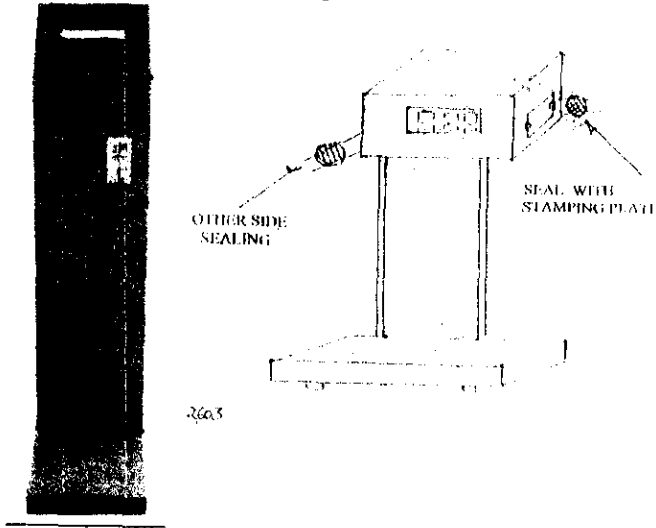
नई दिल्ली, 9 अगस्त, 2011

का. आ. 2603.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एसीई कारपोरेशन, एस नं. 137, शेड नं. 3 व 4, प्रथम तल, छककर इंडस्ट्रीयल एस्टेट, गणेश मंगल कार्यालय के सामने, नानदेड फाटा, सिंहागाड रोड, पुणे-411041 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एमसीओ-2” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक पर्सन वेइंग मशीन-कोआयन आपरेटिव) के मॉडल का, जिसके ब्रांड का नाम “मास्टर” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/07 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक पर्सन वेइंग मशीन-कोआयन आपरेटिव) है। इसकी अधिकतम क्षमता 200 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : उपकरण के मॉडल का सीलिंग प्रावधान

स्केल की बाटम साइड में बनाए गए छेद में से सीलिंग वायर निकाल कर सीलिंग की जाती है। स्टाम्पिंग के लिए स्केल की बाडी में लीड सील के साथ सीलिंग वायर निकाल कर स्टाम्पिंग प्लेट को जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 300 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(03)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th August, 2011

S.O. 2603.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Electronic Person Weighing Machine-Coin Operated) with digital indication of Medium Accuracy (Accuracy class-III) of series "CO-2" and with brand name "MASTER" (hereinafter referred to as the said model), manufactured by M/s. Ace Corporation, S. No. 137, Shed No. 3 & 4, 1st Floor, Chakankar Industrial Estate, Opp. Ganesh Mangal Karyalay, Nanded Phata, Sinhagad Road, Pune-411041 and which is assigned the approval mark IND/09/11/07;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Electronic Person Weighing Machine-Coin Operated) with a maximum capacity of 200 kg and minimum capacity of 2 kg. The verification scale interval (e) is 100 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1 Model

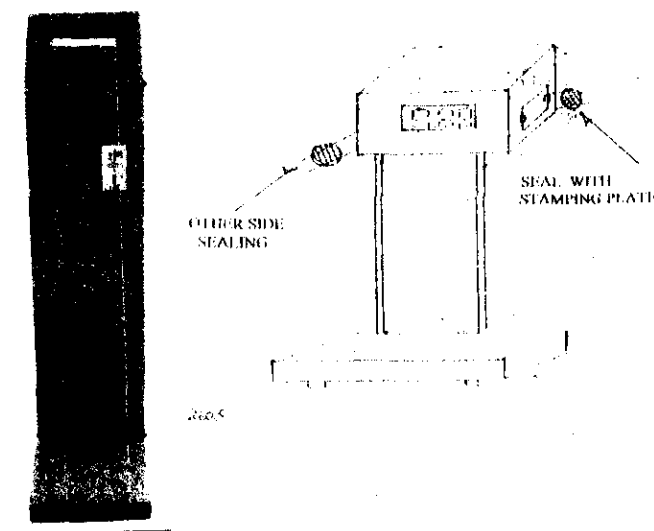


Figure-2 : Sealing Diagram of sealing provision of the model

Sealing is done through the hole, made in the bottom side of the scale, and then sealing wire is passed through these holes. Stamping plate is connected through sealing wire passing from the body of the scale with lead seal, to get the stamping. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 300 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(03)/2011]

B. N. DIXIT, Director of Legal Metrology

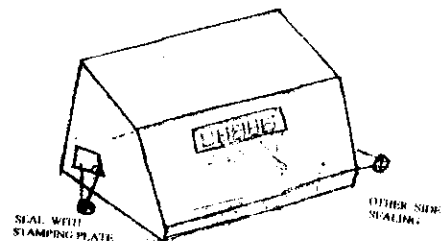
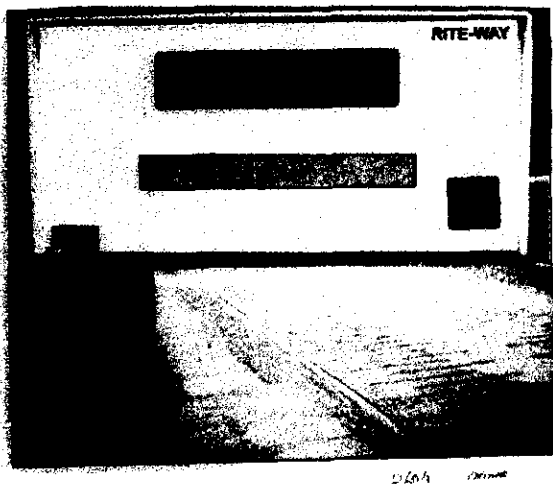
नई दिल्ली, 9 अगस्त, 2011

क्र. अ. 2604.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स गिनेत्री टेक्नोलॉजीज, ई-1, फेज-II, मोहाली, पंजाब द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "टीडब्ल्यूबी-5" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज टाइप) के मॉडल का, जिसके ब्रांड का नाम "राइट-वे" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/85 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज टाइप) है। इसकी अधिकतम क्षमता 50 टन है और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्कलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) तोलन परिणाम उपदर्शित करता है। उपकरण 230-वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले के राइट साइड/बैक साइड में सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी विद्यमान है।

और केंद्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल को अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5-ग्राम या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 200 टन तक अधिकतम क्षमता वाले हैं और "ई" मान 1×10^5 , 2×10^5 , 5×10^5 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(41)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th August, 2011

S.O. 2604.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Electronic Weighbridge) with digital indication of Medium Accuracy (Accuracy Class-III) of series "TWB-5" and with brand name "RITE-WAY" (hereinafter referred to as the said model), manufactured by M/s Minebea Technologies, E-1, Phase-II, Mohali, Punjab and which is assigned the approval mark IND/09/11/85;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Electronic Weighbridge) with a maximum capacity of 50 tonne and minimum capacity of 100 kg. The verification scale interval (e) is 5 kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

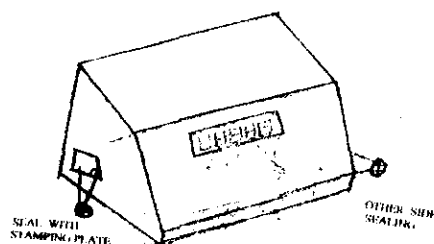
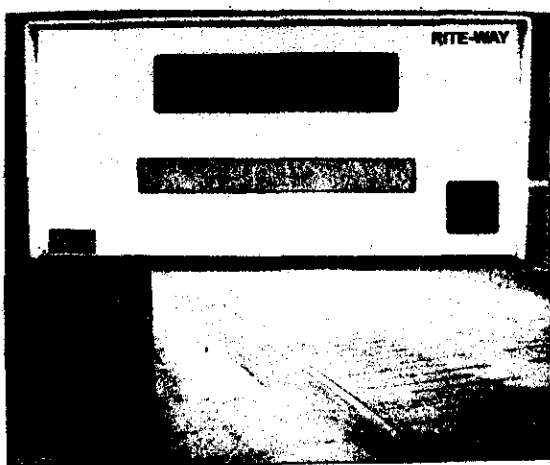


Figure-2 : Schematic Diagram of sealing provision of the model

Sealing is done on the right side/back side of the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and upto 200 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or above and with 'e' value of 1×10^k , 2×10^k , 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(41)/2011]

B. N. DIXIT, Director of Legal Metrology

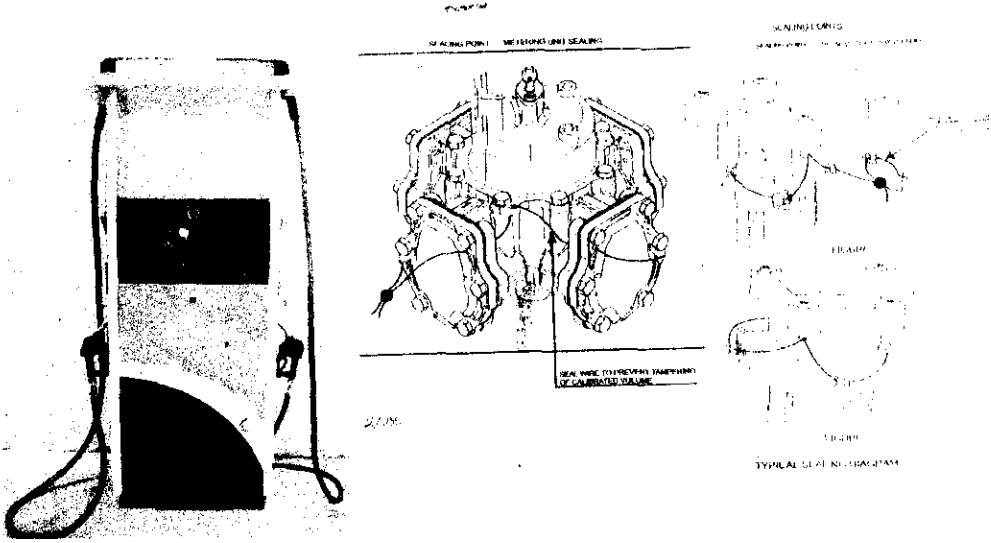
नई दिल्ली, 9 अगस्त, 2011

का. आ. 2605.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (3) और उप-धारा (7) और उप-धारा (8) के तीसरे परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स गिलबार्को वीदर रूट इंडिया प्राइवेट लिमिटेड, 504, पांचवा तल, सैटेलाइट सिल्वर, अंधेरी कुर्ला रोड, मारोल नाका, अंधेरी (ई), मुंबई-400059 द्वारा विनिर्मित पानी के अलावा अन्य द्रव्य मापन सिस्टम (फ्यूल डिस्पेंसर) अंकक सूचन सहित यथार्थता वर्ग 0.5 (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) “फ्रंटियर” सीरीज जिसके ब्रांड का नाम “गिलबार्को वीदर रूट” है और जिसे अनुमोदन चिह्न आई एन डी/09/11/49 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;

उक्त मॉडल, गियर ट्रेन या गियरलैस जी वी आर मापन एकक के साथ पानी के अलावा (फ्यूल डिस्पेंसर) अन्य द्रव्य का मापन मीटर है। पम्प में इथेनॉल और मिथेनॉल, डीजल, एच एस डी, बायो डीजल, कोरोसीन, टरपेनटाइन ऑयल, 2 टी आदि जैसे वैकल्पिक एडिटिव्स सहित अनलेडेड/लेडेड पेट्रोल जैसे बहु प्रकार के ईंधन के विवरण की सुविधा है। पम्प में 2 से 10 नोजल तक के मोनो, डबल या मल्टी उत्पाद सम्मिलित हैं। वैकल्पिक सुविधाओं में प्रीसेट, नान प्रीसेट, कार्ड रीडर, प्रिंटर, पुश बटन, वायरलैस पैरेलल हेण्ड हेल्ड डिस्पले, इलैक्ट्रो मैकेनिकल टोटैलाइजर/इलैक्ट्रॉनिक टोटैलाइजर/मैकेनिकल टोटैलाइजर आदि, डेंसिटी डिस्पले (स्टैटिक डिस्पले), रिमोट आटोमेशन के लिए कम्यूनिकेशन पोर्ट, होज मास्ट के साथ या उसके उच्च (हाई) होज या कम (लो) होज वर्जन सम्मिलित है। डिस्पेंसर सिस्टम के साथ सेक्शन पम्प या सबमर्सिबल पम्प पर कार्य करते हुए इसका अधिकतम प्रवाह दर 80 लीटर प्रति मिनट/130 लीटर प्रति मिनट (सिंगल मीटरिंग/डबल मीटरिंग एकक के लिए) है और न्यूनतम प्रवाह दर 2 लीटर प्रति मिनट है। न्यूनतम प्रभाग 1 मि.लि./10 मि.ली. है। इसमें 6/7 अंक राशि रु. में, 6/7 अंक वॉल्यूम लीटर में 6/4 अंक प्रति लीटर रेट के लिए और 6/4 अंक डेंसिटी के लिए हैं। डिस्पले की न्यूनतम ऊंचाई 19 मि.मी. है। वॉल्यूम केलिब्रेशन मैकेनिकल/इलेक्ट्रॉनिक है। यह 230 वोल्ट और 50 हर्ट्ज सिंगल फेज पर और 380-430 वोल्ट थ्री फेज पर कार्य करता है।

आकृति-1 मॉडल



आकृति-2 : सीलिंग प्रावधान

नट एंड बोल्ट में से सीलिंग वायर निकाल कर एसेम्बलिंग प्लग से सील किया जाता है। लीड सील तोड़े बिना केलिब्रेशन व्हील अभिगमन नहीं कर सकता। लीड सील तोड़े, बिना इलेक्ट्रॉनिक केलिब्रेशन अभिगमन नहीं कर सकता।

[फा. सं. डब्ल्यू एम 21(26)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th August, 2011

S.O. 2605.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the third proviso to sub-section (3) and sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby approves issues and publishes the certificate of approval of model of Measuring Systems for Liquids other than Water (Fuel Dispenser) with digital indication of accuracy class-0.5 (hereinafter referred to as said model) of series "FRONTIER" with brand name "GILBARCO VEEDER ROOT", manufactured by M/s. Gilbarco Veeder Root India Private Limited, 504, 5th Floor, Satellite Silver, Andheri-Kurla Road, Marol Naka, Andheri(E), Mumbai-400059 and which is assigned the approval mark IND/09/11/49;

The said model is a Meter for Liquid other than Water (Fuel Dispenser) with GVR metering unit with gear train or gearless. Pump is capable of dispensing multiple variety of fuel that is unleaded/leaded petrol with optional additives like ethanol and methanol, diesel, HSD, bio-diesel, kerosene, turpentine oil, 2T etc. The pump consists of mono, dual or multi product from two to ten nozzles. Optional features include preset, non preset, card reader, printer, push buttons, wireless parallel hand held display, Electro Mechanical. Totalizer/Electronic Totalizer/Mechanical Totalizer etc. Density Display (Static Display), communication port for remote automation, high hose or low hose version with or without hose mast. It has maximum flow rate of 80 lpm/130 lpm (for Single Metering/Double Metering unit) working on suction pump or submersible pump with dispenser systems and minimum flow rate of 2 lpm. The smallest division is 1 ml/10 ml. It has indication of 6/7 digits for amount in rupees, 6/7 digits for volume in litres, 6/4 digits for rate per litre and 6/4 digits for density. Minimum height of display is 19 mm. The volume calibration is mechanical/electronic. It operates on 230V, 50 Hertz single phase and 380-430 volts for three phase.

Figure-1 Model

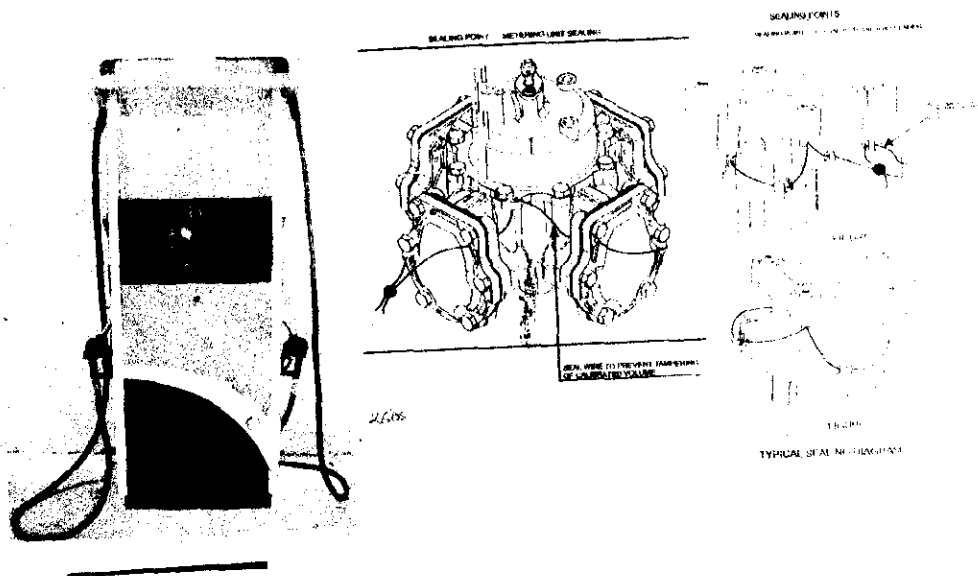


Figure-2 Sealing arrangement

The sealing shall also be done by passing sealing wire through the nut and bolt assembly plugged by a seal. The calibration wheel cannot be accessed without breaking the lead seal. The electronic calibration cannot be accessed without breaking the lead seal.

[F.No. WM-21(26)/2011]

B. N. DIXIT, Director of Legal Metrology

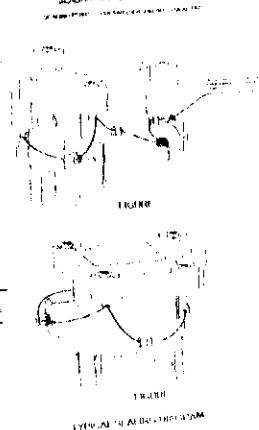
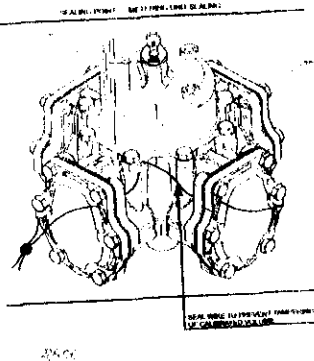
नई दिल्ली, 9 अगस्त, 2011

क्रा. आ. 2606.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (3) और उप-धारा (7) और उप-धारा (8) के तीसरे परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स गिलबर्को वीदर रूट इंडिया प्राइवेट लिमिटेड, 504, पांचवा तल, सैटेलाइट सिल्वर, अंधेरी कुर्ला रोड, मारोल नाका, अंधेरी (ई), मुंबई-400059 द्वारा विनिर्मित पानी के अलावा अन्य द्रव्य मापन सिस्टम (फ्यूल डिस्पेंसर) अंकक सूचन सहित यथार्थता वर्ग 0.5 (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) "स्प्रिंट" सीरीज जिसके ब्रांड का नाम "गिलबर्को वीदर रूट" है और जिसे अनुमोदन चिह्न आई एन डी/09/11/50 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल, गियर ट्रेन या गियरलैस जी वी आर मापन एकक के साथ पानी के अलावा (फ्यूल डिस्पेंसर) अन्य द्रव्य का मापन मीटर है। पम्प में इथेनोल और मिथेनोल, डीज़ल, एच एस डी, बायो डीज़ल, केरोसीन, टरपेनटाइन ऑयल, 2 टी आदि जैसे वैकल्पिक एडिटिव्स सहित अनलेडेड/लेडेड पेट्रोल जैसे बहु प्रकार के ईंधन के विवरण की सुविधा है। पम्प में 2 से 10 नोजल तक के मोनो, डबल या मल्टी उत्पाद सम्मिलित है। वैकल्पिक सुविधाओं में प्रीसेट, नान प्रीसेट, कार्ड रीडर, प्रिंटर, पुश बटन, वायरलैस पैरेलल हैण्ड हेल्ड डिस्पले, इलेक्ट्रो मैकेनिकल टोटलाइजर/इलेक्ट्रॉनिक टोटलाइजर/मैकेनिकल टोटलाइजर आदि, डेंसिटी डिस्पले (स्टैटिक डिस्पले), रिमोट आटोमेशन के लिए कम्प्युनिकेशन पोर्ट, होज़ मास्ट के साथ या उसके उच्च (हाई) होज़ या कम (लो) होज़ वर्जन सम्मिलित है। डिस्पेंसर सिस्टम के साथ सेक्शन पम्प या सबमर्सिबल पम्प पर कार्य करते हुए इसका अधिकतम प्रवाह दर 80 लीटर प्रति मिनट/130 लीटर प्रति मिनट (सिंगल मीटरिंग/डबल मीटरिंग एकक के लिए) है और न्यूनतम प्रवाह दर 2 लीटर प्रति मिनट है। न्यूनतम प्रमाण 1 मि.लि./10 मि.ली. है। इसमें 6/7 अंक राशि रु. में, 6/7 अंक वॉल्यूम लीटर में 6/4 अंक प्रति लीटर रेट के लिए और 6/4 अंक डेंसिटी के लिए हैं। डिस्पले की न्यूनतम ऊंचाई 19 मि.मी. है। वॉल्यूम केलिब्रेशन मैकेनिकल/इलेक्ट्रॉनिक है। यह 230 वोल्ट और 50 हर्ट्ज सिंगल फेज पर और 380-430 वोल्ट थ्री फेज पर कार्य करता है।

आकृति-1 मॉडल



आकृति-2 : सीलिंग प्रावधान

नट एंड बोल्ट में से सीलिंग वायर निकाल कर एसेम्बलिंग प्लग से सील किया जाता है। लीड सील तोड़े बिना केलिब्रेशन क्ली अभिगमन नहीं कर सकता। लीड सील तोड़े बिना इलेक्ट्रॉनिक केलिब्रेशन अभिगमन नहीं कर सकता।

[फा. सं. डब्ल्यू एम-21(26)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 9th August, 2011

S.O. 2606.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the third proviso to sub-section (3) and sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Measuring Systems for Liquids other than Water (Fuel Dispenser) with digital indication of accuracy class 0.5 (hereinafter referred to as said model) of series "SPRINT" with brand name "GILBARCO VEEDER ROOT", manufactured by M/s. Gilbarco Veeder Root India Private Limited, 504, 5th Floor, Satellite Silver, Andheri-Kurla Road, Marol Naka, Andheri (E), Mumbai-400059 and which is assigned the approval mark IND/09/11/50;

The said model is a Meter for Liquid other than Water (Fuel Dispenser) with GVR metering unit with gear train or gearless. Pump is capable of dispensing multiple variety of fuel that is unleaded/leaded petrol with optional additives like ethanol and methanol, diesel, HSD, bio-diesel, kerosene, turpentine oil, 2T etc. The pump consists of mono, dual or multi product from two to ten nozzles. Optional features include preset, non preset, card reader, printer, push buttons, wireless parallel hand held display, Electro Mechanical, Totalizer/Electronic Totalizer/Mechanical Totalizer etc. Density Display (Static Display), communication port for remote automation, high hose or low hose version with or without hose mast. It has maximum flow rate of 80 lpm/130 lpm (for Single Metering/Double Metering unit) working on suction pump or submersible pump with dispenser systems and minimum flow rate of 2 lpm. The smallest division is 1 ml/10 ml. It has indication of 6/7 digits for amount in rupees, 6/7 digits for volume in litres, 6/4 digits for rate per litre and 6/4 digits for density. Minimum height of display is 19 mm. The volume calibration is mechanical/electronic. It operates on 230V, 50 Hertz single phase and 380-430 volts for three phase.

Figure-1 Model

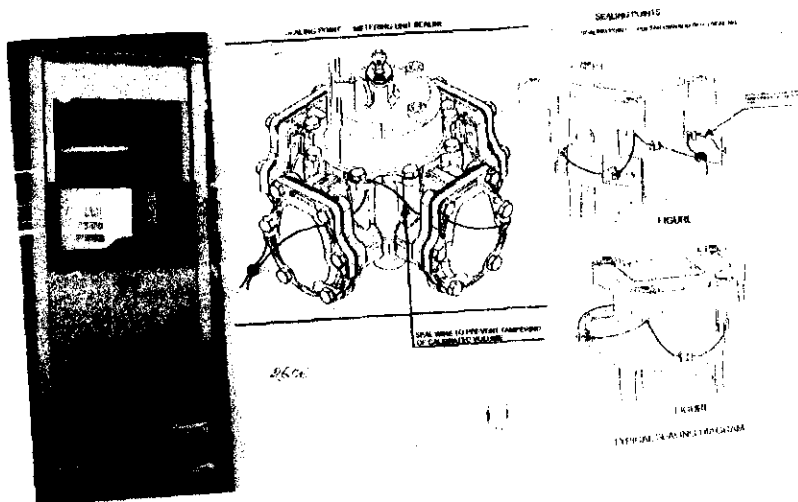


Figure-2 : Sealing arrangement

The sealing shall also be done by passing sealing wire through the nut and bolt assembly plugged by a seal. The calibration wheel can not be accessed without breaking the lead seal. The electronic calibration can not be accessed without breaking the lead seal.

[F.No. WM-21(26)/2011]

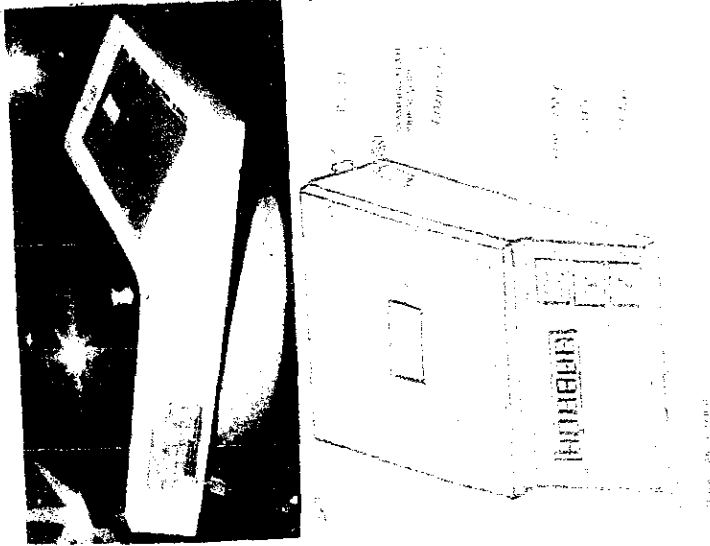
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 17 अगस्त, 2011

का. आ. 2607.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एस. आर. इलेक्ट्रोनिक्स, 8, कंचन अपार्टमेंट, राधिका रोड, शिव श्यामी स्कूल के पास, सतारा, जिला-सतारा-415002 (महाराष्ट्र) द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "एसआरटीजे" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) के मॉडल का, जिसके ब्रांड का नाम "वे-मेक्स" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/186 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो। मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 100,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5,000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(95)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

S.O. 2607.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of High Accuracy (Accuracy class-II) of series "SRTJ" and with brand name "WAY-MAX" (hereinafter referred to as the said model), manufactured by M/s. S. R. Electronics, 8, Kanchan Apartment, Radhika Raod, Nr. Shiv Sahyadri School, Satara, Distt. Satara, Pin-415002 (Mah.) and which is assigned the approval mark IND/09/11/186;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 2 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

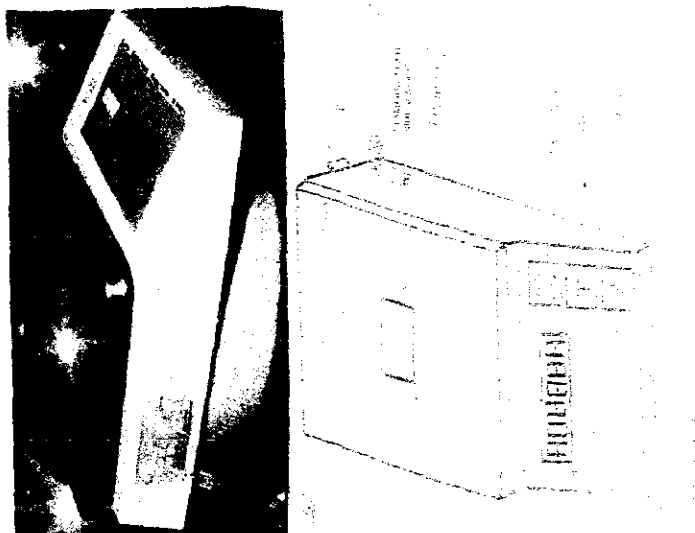


Figure-2 : Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

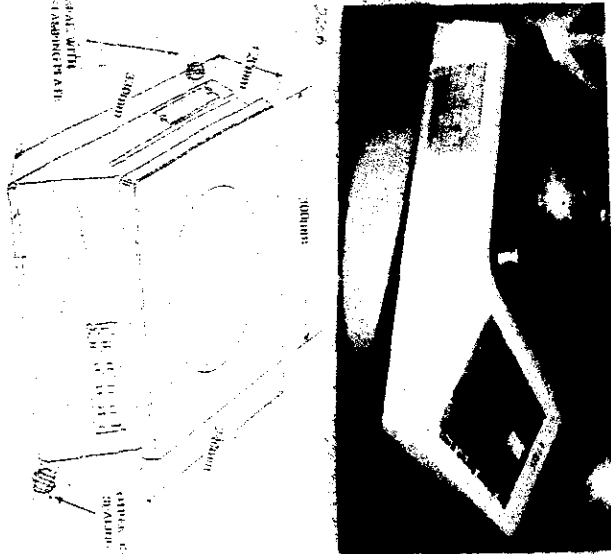
Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (n) in the range of 100 to 100,000 for 'e' value of 1 mg. to 50 mg. and with verification scale interval (n) in the range of 5,000 to 100,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

नई दिल्ली, 17 अगस्त, 2011

क्र. आ. 2608.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, विधिक विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा शक्तियों का प्रयोग करते हुए मैसर्स एस. आर. इलेक्ट्रॉनिक्स, 8, कंचन अपार्टमेंट, राधिका रोड, शिव श्यामी स्कूल के पास, सतारा, जिला-सतारा-415002 (महाराष्ट्र) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एसआरटीटी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) के मॉडल का, जिसके ब्रांड का नाम “वे-मेक्स” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/187 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवहार्यात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

हिल्सों की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर के बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम संलग्न किया गया है।

उपकरण के बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

अब केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री के प्रयोग से उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के स्तरन उपकरण भी होंगे जो 100 कि.ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^0 , 2×10^0 , 5×10^0 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(95)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th August, 2011

S.O. 2608.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of model of non-automatic weighing instrument (Table top type) with digital indication of Medium Accuracy (Accuracy class-III) of series "SRTT" and with brand name "WAY-MAX" (hereinafter referred to as the said model), manufactured by M/s S. R. Electronics, 8, Kanchan Apartment, Radhika Road, Nr. Shiv Sahyadri School, Satara, Distt. Satara, Pin-415002 (Mah.) and which is assigned the approval mark IND/09/11/187;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 5 g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

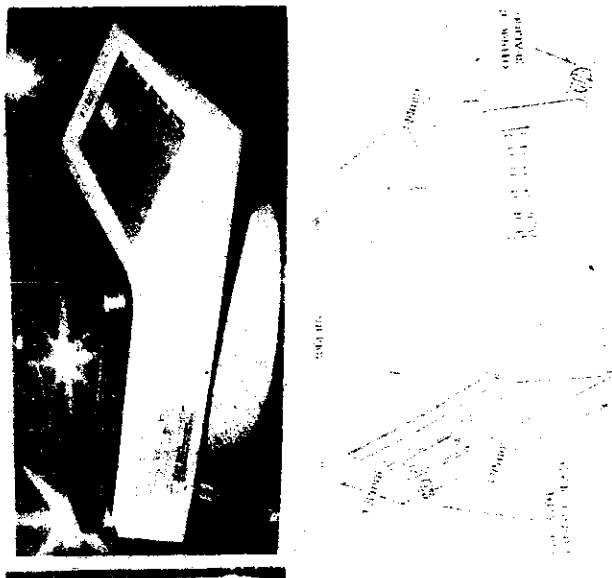


Figure-2 : Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2 g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(95)/2011]

B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 17 अगस्त, 2011

का. आ. 2609.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा शक्तियों का प्रयोग करते हुए मैसर्स एस. आर. इलेक्ट्रॉनिक्स, 8, कंचन अपार्टमेंट, राधिका रोड, शिव श्याद्री स्कूल के पास, सतारा, जिला-सतारा-415002 (महाराष्ट्र) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एसआरपी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "वे-मेक्स" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/188 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है;

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 300 कि.ग्रा. और न्यूनतम क्षमता 1000 ग्रा. है। सत्यापन मापमान अंतराल (ई) 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5,000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(95)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th August, 2011

S.O. 2609.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010), read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of Medium Accuracy (Accuracy class-III) of series "SRP" and with brand name "WAY-MAX" (hereinafter referred to as the said model), manufactured by M/s S. R. Electronics, 8, Kanchan Apartment, Radhika Road, Nr. Shiv Sahyadri School, Satara, Distt. Satara, Pin-415002 (Mah.) and which is assigned the approval mark IND/09/11/188;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 300 kg. and minimum capacity of 1000 g. The verification scale interval (e) is 50 g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1



Figure-2: Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/Mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and upto 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(95)/2011]

B. N. DIXIT, Director of Legal Metrology

(भारतीय मानक ब्यूरो)

नई दिल्ली, 8 सितम्बर, 2011

का. आ. 2610.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के नियम 4 के नियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :—

अनुसूची

क्रम संख्या	लाइसेंस संख्या	स्वीकृत करने की तिथि	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक	भा मा संख्या	भाग	अनुभाग	वर्ष
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.	3747473	29-7-2011	मैसर्स इंडोफिल केमीकल्स कंपनी (इंडोफिल ऑर्गेनिक इंडस्ट्रीज लि. की डिवीजन) प्लॉट नं. 2ए, गट संख्या 113, पिरंगुट, तालुका मुलशी, जिला पुणे, महाराष्ट्र-412108	मेनकोजेब आद्रकरणीय पाउडर	8708			2006
2.	3747978	3-8-2011	मैसर्स श्रीम इलैक्ट्रिक लिमिटेड, गट सं. 311, मौजे आगर जयसिंगपुर, तालुका शिरोल जिला कोल्हापुर, महाराष्ट्र-416144	1100 वोल्ट तक एसी पावर सिस्टम दाबित वोल्टेज के लिए सेल्फ हीलिंग का पावर केपीसीटर्स	13340			1993
3.	3726263	5-8-2011	मैसर्स रिलायबल एगो एंड फूड इंडस्ट्रीज, गट सं. 38, ए/पी लोनी बीके तालुका राहाता, जिला अहमदनगर, महाराष्ट्र-413736	पैकेजबंद पेयजल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543			2004
4.	3748475	5-8-2011	मैसर्स शरायु बेवरेजेज प्लॉट नं. 10सी, उदयगिरि औद्योगिक इंडस्ट्रीयल इस्टेट को-आप सोसायटी, लोनी तालुका उदगीर, जिला लातूर, महाराष्ट्र-413517	पैकेजबंद पेयजल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543			2004
5.	3750664	12-8-2011	मैसर्स सकक्षम इंडस्ट्रीज, स. नं. 03, एट गोविंदपुर, तालुका पुरना, जिला परभणी, महाराष्ट्र-431511	पैकेजबंद पेयजल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543			2004
6.	3726162	12-8-2011	मैसर्स ऑक्सीकैन अकुआ इंडस्ट्रीज, प्लॉट नं. जी-98, एमआईडीसी, तालुका अहमदनगर, जिला अहमदनगर, महाराष्ट्र-414111	पैकेजबंद पेयजल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543			2004

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
7.	3751464	16-8-2011	मैसर्स मयाने इंडस्ट्रीज एम. नं. 488, ए/पी पुसेसावाली, तालुका खातव, जिला सातारा, महाराष्ट्र-415512	पैकेजबंद पेयजल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543			2004
8.	3728166	19-8-2011	मैसर्स स्मिथ फूड एंड बंवरजेज कंपनी, पुराना स. नं. 120, (डिप्टी. नं. 6), न्यू स.न. 144, हिस्सा नं. 1/2/2बी/2/3/1, ओल्ड हाऊस नं. 9617, न्यू हाऊस नं. 232, नैना इंडस्ट्रीयल एरिया, फुरसुंगी, तालुका हवेली, जिला पुणे, महाराष्ट्र-412308	पैकेजबंद पेयजल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543			2004
9.	3753165	19-8-2011	मैसर्स दोशीबा वाटर ट्रीटमेंट, प्लॉट नं. ए-144, एमआईडीसी चिंचोली, तालुका मोहोल, जिला सोलापुर, महाराष्ट्र-413003	पैकेजबंद पेयजल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543			2004
10.	3726061	24-8-2011	मैसर्स महानकालेश्वर इंडस्ट्रीज, गट नं. 169, एट एंड पोस्ट सासुरे, तालुका बारशी, जिला सोलापुर, महाराष्ट्र-413402	पैकेजबंद पेयजल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543			2004
11.	3725059	24-8-2011	मैसर्स साई इंडस्ट्रीज, गट सं. 184, एट काकान्दी, तालुका एवं जिला नांदेड, महाराष्ट्र-431602	पैकेजबंद पेयजल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543			2004
12.	3725867	24-8-2011	मैसर्स एस जे फूड्स एंड एग्रो इंडस्ट्रीज, गट सं. 397, घंटागरी तालुका एवं जिला ओस्मानाबाद, महाराष्ट्र-413501	पैकेजबंद पेयजल (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543			2004
13.	3754571	25-8-2011	मैसर्स स्मित स्पेन पाइप्स प्रा. लि., गट सं. 1095 से 1100, ए/पी पारगांव, तालुका खंडाला, जिला सातारा, महाराष्ट्र-412802	प्रीकॉस्ट कंक्रीट पाइप्स (रीइन्फोर्समेंट सहित एवं रहित)	458			2003

(BUREAU OF INDIAN STANDARD)

New Delhi, the 8th September, 2011

S.O. 2610.—In pursuance of sub-regulation (5) of the regulation 4 of the Bureau of Indian Standards (Certification) Regulations, 1988, of the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following Schedule :

SCHEDULE

Sl. No.	Licence No.	Grant Date	Name and Address of the Party	Title of the Standard	IS No.	Part	Sec.	Year
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.	3747473	29-7-2011	M/s Indofil Chemicals Company, (Division of Indofil Organic Industries Ltd.), Plot No. 2A, Gat No. 113, Pirangut, Taluka Mulshi, District Pune, Maharashtra-412108	Mancozeb wettable powder	8708			2006
2.	3747978	3-8-2011	M/s Shreem Electric Ltd., Gat No. 311, Mouje Agar, Jaysingpur, Taluka Shirol, District Kolhapur, Maharashtra-416144	Power capacitors of self healing type for ac power systems having rated voltage upto 1000 V	13340			1993
3.	3726263	5-8-2011	M/s Reliable Agro and Food Industries, Gut No. 38, A/P Loni BK, Taluka Rahata, District Ahmednagar, Maharashtra-413736	Packaged drinking water (Other than packaged natural mineral water)	14543			2004
4.	3748475	5-8-2011	M/s Sharayu Beverages, Plot No. 10C, Udaygiri Audyogik Industries Estate, Co-op Society, Loni, Taluka Udgir, District Latur, Maharashtra-413517	Packaged drinking water (Other than packaged natural mineral water)	14543			2004
5.	3750664	12-8-2011	M/s Saksham Industries, Sur. No. 03, At Govindpur, Taluka Purna, District Parbhani, Maharashtra-413511	Packaged drinking water (Other than packaged natural mineral water)	14543			2004
6.	3726162	12-8-2011	M/s Oxycan Aqua Industries, Plot No. G-98, MIDC, Taluka Ahmednagar, District Ahmednagar, Maharashtra-414111	Packaged drinking water (Other than packaged natural mineral water)	14543			2004

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
7.	3751464	16-8-2011	M/s Mayane Industries, M. No. 488, A/P Pusesavali, Taluka Khatav, District Satara, Maharashtra-415512	Packaged drinking water (Other than packaged natural mineral water)	14543			2004
8.	3728166	19-8-2011	M/s Smith Food and Beverages Company, Old S. No. 120, (Div. No. 6), New S. No. 144, Hissa No. 1/2/2B/2/3/1, Old House No. 9617, New House No. 232, Naina Industrial Area, Phursungi, Taluka Haveli, District Pune, Maharashtra-412308	Packaged drinking water (Other than packaged natural mineral water)	14543			2004
9.	3753165	19-8-2011	M/s Doshiba Water Treat- ment, Plot No. A-144, MIDC Chincholi, Taluka Mohol, District Solapur Maharashtra-413003	Packaged drinking water (Other than packaged natural mineral water)	14543			2004
10.	3726061	24-8-2011	M/s Mhankaleshwara Industries, Gat No. 169, At And Post Sasure, Taluka Barshi, District Solapur, Maharashtra-413402	Packaged drinking water (Other than packaged natural mineral water)	14543			2004
11.	3725059	24-8-2011	M/s Sai Industries, Gut No. 184, At Kakandi, Taluka and District Nanded, Maharashtra-431602	Packaged drinking water (Other than packaged natural mineral water)	14543			2004
12.	3725867	24-8-2011	M/s S.J. Foods and Agro Industries, Gat No. 397, Ghatangri, Taluka and District Osmanabad, Maharashtra-413501	Packaged drinking water (Other than packaged natural mineral water)	14543			2004
13.	3754571	25-8-2011	M/s Smit Spun Pipes Pvt. Ltd., Gat No. 1095 to 1100, A/P Pargaon Taluka Khandala, District Satara, Maharashtra-412802	Precast concrete pipes (with and without reinforcement)	458			2003

नई दिल्ली, 8 सितम्बर, 2011

का. आ. 2611.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या, वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस/आई एस ओ 11843-1 : 1997 संसूचन सक्षमता भाग 1 नियम व परिभाषाएँ	—	31 जनवरी 2010
2.	आई एस/आई एस ओ 11843-2 : 2000 संसूचन सक्षमता भाग 2 रेखीय अंशशोधन केस की पद्धति	—	31 जनवरी 2010
3.	आई एस/आई एस ओ 11843-3 : 2003 संसूचन सक्षमता भाग 3 अंशशोधन आँकड़े प्रयुक्त न किए जाने की स्थिति में अनुक्रिया चर का संवेदी मान ज्ञात करने की पद्धति	—	31 जनवरी 2010
4.	आई एस/आई एस ओ 11843-4 : 2003 संसूचन सक्षमता भाग 4 दिए गए मान से न्यूनतम संसूचक की तुलना करने की प्रणाली	—	31 जनवरी 2010

इन मानकों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलुरु, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एमएसडी/जी-8]

निर्मल कुमार पाल, वैज्ञानिक 'एफ' एवं प्रमुख,
(प्रबन्ध एवं तंत्र विभाग)

New Delhi, the 8th September, 2011

S.O. 2611.—In pursuance of Clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No. and year of the Indian Standards Established No.	No. & year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established	
(1)	(2)	(3)	(4)
1. IS/ISO 11843-1 : 1997 'Capability of detection – Part 1 : Terms and definitions'	–		31st January 2010
2. IS/ISO 11843-2 : 2000 'Capability of detection – Part 2 : Methodology in the linear calibration case'	–		31st January 2010

(1)	(2)	(3)	(4)
3. IS/ISO 11843-3 : 2000 'Capability of detection – Part 3 : Methodolgy for determination of the critical value for the response variable when no calibration data are used'	–		31st January 2010
4. IS/ISO 11843-4 : 2003 'Capability of detection – Part 4 : Methodolgy for comparing the minimum detectable value with a given value'	--		31st January 2010

Copies of above standard are available for sale with the Bureau of Indian Standards, Manak Bhawan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangaluru, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: MSD/G-8]

NIRMAL KUMAR PAL, SCIENTIST 'F' and
Head (Management & Systems Department)

नई दिल्ली, 12 सितम्बर, 2011

का. आ. 2612.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम	स्थापित भारतीय मानक(कों) की संख्या, वर्ष और शीर्षक संख्या	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 2323 : 2011 मिर्च एवं मसाले – सरसों, साबुत और पिसी – विशिष्ट (दूसरा पुनरीक्षण)	आई एस 2323 : 1983	31 मई 2011
2.	आई एस 3796 : 2011 मिर्च एवं मसाले – सौंफ, साबुत – विशिष्ट (दूसरा पुनरीक्षण)	आई एस 3796 : 1993	30 अप्रैल 2011
3.	आई एस 3797 : 2011 मिर्च एवं मसाले – अजमोदा बीज – विशिष्ट (दूसरा पुनरीक्षण)	आई एस 3797 : 1993	30 अप्रैल 2011
4.	आई एस 9486 : 2011 मिर्च एवं मसाले – निर्जलीकृत हरी मिर्च – विशिष्ट (पहला पुनरीक्षण)	आई एस 9486 : 1980	30 अप्रैल 2011

इन भारतीय मानक(कों) की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चैन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एफएडी/जी-128]

डा. आर. के. बजाज, वैज्ञानिक 'एफ' एवं प्रमुख (खाद्य एवं कृषि)

New Delhi, the 12th September, 2011

S.O. 2612.—In pursuance of Clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

No. and year of the Indian Standards Established	No. & year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(2)	(3)	(4)
IS 2323 : 2011 Spices and Condiments – Mustard, whole and ground – Specification (second revision)	IS 2323 : 1983	31st May, 2011
IS 3796 : 2011 Spices and Condiments – Fennel seeds, whole – Specification (second revision)	IS 3796 : 1993	30th April, 2011
IS 3797 : 2011 Spices and Condiments – Celery seeds – Specification (second revision)	IS 3797 : 1993	30th April, 2011
IS 9486 : 2011 Spices and Condiments – Dehydrated green pepper – Specification (first revision)	IS 9486 : 1980	30th April, 2011

Copy of the standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Pune and Thiruvananthapuram.

[Ref : FAD G-128]

Date : 12th September, 2011

Dr. R. K. BAJAJ, SCIENTIST 'F' and Head (Food & Argi.)

नई दिल्ली, 12 सितम्बर, 2011

का. आ. 2613.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 4 के उपनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :—

अनुसूची

लाइसेंस संख्या	स्वीकृत करने की तिथि	लाइसेंसधारी का नाम व पता	भारतीय मानक का शीर्षक	भा. मा. संख्या	भाग	अनु	वर्ष
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
3746976	27-07-2011	इन्टरनेशनल पैकेजिंग प्रोडक्ट्स प्रा.लि., सर्वे सं. 380/2, गांव डापाडा, सिल्वासा-396230	एग्रो वस्त्रादि-वार्मिकलचर के लिए उच्च घनत्व पॉलिथिलीन एचडीपीई ओवन बेड्स	15907			2010
3748172	27-07-2011	विहिनस सेफटी और हेल्थ प्राइवेट लि., एल 17, एम आय डी सी, पनवेल, तलोजा, नवी मुंबई-410 208	श्वसन रक्षी युक्तियां-आधे चेहरे को ढकने के मुखौटे तथा केवल नाक और मुंह को ढकने के मुखौटे	14746			1999

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
3.	3747069	28-07-2011	ओरिएन्ट पैकेजिंग, प्लॉट सं. 101/1, रोड सं. सी, कडैया गांव, दमण इण्डस्ट्रीयल इस्टेट, दमन-396210	वस्त्रादि उच्च घनत्व पॉलिथिलीन बुने कपड़े से बने तारपोलीन	7903			20416
4.	3740055	03-08-2011	वरदान वॉटर सल्युशन्स प्रा. लि., ए-15, रोड सं. 2, नाईस एरिया, एम आय डी सी, सातपुर, नासिक-422007	पैकेजबंद पीने का पानी (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543			20417
5.	3748374	05-08-2011	वर्धमान प्लास्टिक्स एण्ड अलाइड इण्डस्ट्रीज, डाइवरसन रोड, दोनदाइचा, तालुका : सिंधखेडा, जिला : धुले-425 408	सिंचाई उपस्कर सिंचाई पार्श्व के पाइप	12786			20418
6.	3748677	08-08-2011	मानसी मॅन्युफैक्चरिंग और सर्विसेस प्रा. लिमिटेड, प्लॉट सं. पी ए पी-आर-25, टीटीसी इण्डस्ट्रियल एरिया, रबाले, जिला थाणे-400701	पैकेजबंद पीने का पानी (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543			20419
7.	3751060	10-08-2011	साई एन्टरप्राइजेस, क्रिश्ना कॉम्प्लेक्स, बिल्डिंग सं. 1, गाला सं. 3 और 4, गुप्ता कंपाउंड के पास, वालगाँव पो ओ काल्हेर, भिवंडी, जिला थाणे-421 302	पैकेजबंद पीने का पानी (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543			20420
8.	3743970	19-08-2011	व्हाईट वंडर अक्वा, गाला सं. 2, सीएसटी सं. 184/5, गाँव किरोल, नारायण नगर, राज राजेश्वरी रोड, अक्षर धाम बिल्डिंग के सामने, युनिवरसल डाइन मिल के बाजु में, घाटकोपर पश्चिम, मुंबई-400 086	पैकेजबंद पीने का पानी (पैकेजबंद प्राकृतिक मिनरल जल के अलावा)	14543			20421
9.	3737268	25-08-2011	नीर इरिगेशन, 20/21, जैनम इण्डस्ट्रियल पार्क, शांघ्रीला वाटर पार्क के बाजु में, पोस्ट बोरिवली, कुकसे, मुंबई नासिक हाइवे, भिवंडी, जिला थाणे-400 302	सिंचाई उपस्कर उत्सर्जन पाइप प्रणाली	13488			20422

New Delhi, the 12th September, 2011

S.O. 2613.—In pursuance of sub-regulation (5) of the Regulation 4 of the Bureau of Indian Standards (Certification) Regulations, 1988, of the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following Schedule :

SCHEDULE

Sl. No.	Licence No.	Grant Date	Name and address of the Party	Title of the Standard	IS No.	Part	Sec.	Year
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.	3746976	27-7-2011	International Packaging Products Pvt. Ltd. Survey No. 380/2, Village Dapada, Silvassa-396230	Agro Textiles High Density Polyethylene (HDPE) Woven Beds for Vermiculture	15907	—	—	2010
2.	3748172	27-7-2011	Venus Safety & Health Pvt. Ltd., L-17, MIDC, Panvel, Talaja, Navi Mumbai-410208	Respiratory Protective Devices—Half Mask & Quarter Mask	14746	—	—	1999
3.	3747069	28-7-2011	Orient Packaging Plot No. 101/1, Shed No. C, Kadaiya Village, Daman Industrial Estate, Daman-396210	Textiles—Tarpaulins made from HDPE Woven Fabric	7903	—	—	2005
4.	3740055	3-8-2011	Vardaan Water Solutions Pvt. Ltd., A-15, Street No. 2, Nice Area, MIDC, Satpur, Nashik-422007	Packaged Drinking Water (other than Packaged Natural Mineral Water)	14543	—	—	2004
5.	3748174	3-08-2011	Vardhaman Plastics & Allied Industries, Gut No. 307/1, Shahada, Diversion Road, Dondaicha, Tal : Shindkheda, Distt. Dhule-425408	Irrigation Equipment—Polyethylene Pipes for Irrigation Laterals	12786	—	—	1989
6.	3748672	8-8-2011	Mansi Manufacturer and Services Pvt. Ltd., Plot No. PAP-R-25, TTC Indl. Area, Rabale, Distt. Thane-400701	Packaged Drinking Water (other than Packaged Natural Mineral Water)	14543	—	—	2004
7.	3751060	10-8-2011	Sai Enterprises Krishna Complex, Bldg. No. 1, Gala Nos. 3 & 4, Near Gupta Compound, At Valgaon, P.O. Kalher, Bhiwandi, Distt. Thane-421302	Packaged Drinking Water (other than Packaged Natural Mineral Water)	14543	—	—	2004
8.	3743970	19-8-2011	White Wonder Aqua, Gala No. 2, CST No. 184/5, Village : Kirol, Narayan Nagar, Raj Rajeshwari Road, Opp. Akshar Dham Bldg, Next to Universal Dyne Mill, Ghatkopar (W), Mumbai-400086	Packaged Drinking Water (other than Packaged Natural Mineral Water)	14543	—	—	2004

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
9.	3737268	25-8-2011	Neer Irrigation, 20/21, Jainum Industrial Park, Near Shangrila Water Park, Post : Borivali (KUKSE), Mumbai- Nashik Highway, Bhiwandi, Distt. Thane-400302	Emitting Pipe System	13488	-	-	2008

[No. CMD/13 : 11]

DEV DUTT JHA, Scientist "F" & Head

नई दिल्ली, 13 सितम्बर, 2011

का. आ. 2614.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम संशोधित भारतीय मानक(कों) की संख्या, वर्ष और शीर्षक मस्यदा	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हों, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)
1. आई एस/आई एस ओ 14040 : 2006 पर्यावरण प्रबंधन—जीवन चक्र आंकलन—सिद्धांत और ढांचा (पहला पुनरीक्षण)	-	30 सितंबर, 2009

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 34/आईएस/आईएसओ 14040]

ई. देवेन्द्र, वैज्ञानिक 'एफ' एवं प्रमुख (रसायन)

New Delhi, the 13th September, 2011

S.O. 2614.—In pursuance of Clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No. and year of the Indian Standards Established No.	No. & year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)
1. IS/ISO 14040 : 2006 Environmental Management—Life Cycle Assessment—Principles and Framework (First Revision)	-	30 September 2009

Copy of this standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: CHD 34/IS/ISO 14040]

E. DEVENDAR, Sc. 'F' & Head (Chemical)

नई दिल्ली, 13 सितम्बर, 2011

का. आ. 2615.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या, वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस/आई एसओ 14064-1 : 2006 ग्रीनहाउस गैसों भाग 1 संगठन स्तर पर ग्रीनहाउस गैस के उत्सर्जन और उसे हटाने के लिए परिमाणन और रिपोर्टिंग, दिशा निर्देश सहित विशिष्ट	—	31 दिसम्बर, 2009

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : सीएचडी 34/आईएस/आईएसओ 14064-1]

ई. देवेन्द्र, वैज्ञानिक 'एफ' एवं प्रमुख (रसायन)

New Delhi, the 13th September, 2011

S.O. 2615.—In pursuance of Clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl No	No and year of the Indian Standards Established	No. & year of Indian Standards, if any, Super- seded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS/ISO 14064-1 : 2006 Greenhouse gases Part 1 Specification with guidance at the organization level for quantification and reporting of green house gas emissions and removals.	—	31st December, 2009

Copy of this standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: CHD 34/IS/ISO 14064-1]
E. DEVENDAR, Sc. 'F' and Head (Chemical)

नई दिल्ली, 14 सितम्बर, 2011

का. आ. 2616.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिस भारतीय मानक का विवरण नीचे अनुसूची में दिया गया है वह स्थापित हो गया है :—

अनुसूची

क्रम स्थापित भारतीय मानक की संख्या, वर्ष और शीर्षक संख्या	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)
1. आई एस 15937 : 2011/आई एस ओ 13493 : 1998 मांस एवं मांस उत्पाद—क्लोरम्फेनिकॉल अंश का निर्धारण—द्रव क्रोमेटोग्राफी पद्धति द्वारा	—	30 जून 2011

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एफएडी/जी-128]

डा. आर. के. बजाज, वैज्ञानिक 'एफ' एवं प्रमुख (खाद्य एवं कृषि)

New Delhi, the 14th September, 2011

S.O. 2616.—In pursuance of Clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against it :

SCHEDULE

Sl. No. and year of the Indian Standard Established No.	No. & year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)
1. IS 15937 : 2011/ISO 13493 : 1998 Meat and meat products—Determination of Chloramphenicol content—Method using liquid chromatography	—	30th June, 2011

Copy of this standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: FAD/G-128]
Dr. R.K. BAJAJ, Sc. 'F' and Head (Food & Agri.)

नई दिल्ली, 15 सितम्बर, 2011

का. आ. 2617.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनिषम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिस भारतीय मानक का विवरण नीचे अनुसूची में दिया गया है वह स्थापित हो गया है :—

अनुसूची

क्रम स्थापित भारतीय मानक की संख्या, वर्ष और शीर्षक संख्या	नये भारतीय मानक द्वारा अतिरिक्त भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)
1. आई एस 3600 (Pt 3) : 2009/आई एस ओ 4136 : 2001 धात्विक सामग्री में वेल्ड पर विनाशी परीक्षण भाग 3 अनुप्रस्थ टनल परीक्षण (तीसरा पुनरीक्षण)	आई एस 3600 (भाग 3) : 1984 (दूसरा पुनरीक्षण)	30 अप्रैल 2009

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एमटीडी 11/टी-111]

पी. घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 15th September, 2011

S.O. 2617.—In pursuance of Clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No. and year of the Indian Standard Established No.	No. & year of Indian Standard, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)
1. IS 3600 : 2009/ISO 4136 : 2001 Destructive Tests on Welds in Metallic Materials Part 3 Transverse Tensile Test (Third Revision)	IS 3600 (Pt 3) : 1984 (Second Revision)	30 April 2009

Copy of this standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref : MTD 11/T-111]

P. GHOSH, Scientist. 'F' and Head (MTD)

नई दिल्ली, 15 सितम्बर, 2011

का. आ. 2618.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिस भारतीय मानक का विवरण नीचे अनुसूची में दिया गया है वह स्थापित हो गया है :—

अनुसूची

क्रम स्थापित भारतीय मानक(कों) की संख्या, वर्ष और शीर्षक संख्या	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)
1. आई एस 15914 : 2011 वेल्डिंग गैस सिलिंडरों के निर्माण के लिए उच्च तनन सामर्थ्य की बेल्डित इस्पात प्लेट (6 मिमी तक), शीट एवं पत्ती—विशिष्ट	—	30 सितम्बर 2011

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ : एमटीडी 4/टी-21]

पी. घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 15th September, 2011

S.O. 2618.—In pursuance of Clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No. and year of the Indian Standards Established No.	No. & year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)
1. IS 15914 : 2011 High Tensile Strength Flat Rolled Steel Plate (Upto 6 mm), Sheet and Strip for the Manufacture of Welded Gas Cylinder—Specification	—	30 September 2011

Copy of this standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref: MTD 4/T-21]

P. GHOSH, Sc. 'F' and Head (MTD)

कोयला मंत्रालय

आदेश

नई दिल्ली, 14 सितम्बर, 2011

का. आ. 2619.—कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20)(जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 9 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्यांक

का.आ. 674, तारीख 23 फरवरी, 2011, जो भारत के राजपत्र, भाग II, खंड 3, उपखंड (ii), तारीख 5 मार्च, 2011 में प्रकाशित होने पर, उक्त अधिसूचना से संलग्न अनुसूची में वर्णित भूमि और भूमि में या उस पर के सभी अधिकार (जिसे इसमें इसके पश्चात् उक्त भूमि कहा गया है) उक्त अधिनियम की धारा 10 की उपधारा (1) के अधीन, सभी विल्लंगमों से मुक्त होकर, आत्यंतिक रूप से केन्द्रीय सरकार में निहित हो गए थे;

और केन्द्रीय सरकार को यह समाधान हो गया है कि साउथ ईस्टर्न कोलफील्ड्स लिमिटेड, सीपत रोड, डाकघर संख्या 60, जिला बिलासपुर-495006 (छत्तीसगढ़) (जिसे इसमें इसके पश्चात् सरकारी कम्पनी कहा गया है), ऐसे निबंधनों और शर्तों का जो केन्द्रीय सरकार इस निमित्त अधिरोपित करना उचित समझे, अनुपालन करने के लिये तैयार है;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि इस प्रकार निहित उक्त 722.220 हेक्टर भूमि और उस पर के सभी अधिकार, तारीख 5 मार्च, 2011 से केन्द्रीय सरकार में इस प्रकार निहित बने रहने की बजाय, निम्नलिखित निबंधनों और शर्तों के अधीन रहते हुए, सरकारी कम्पनी में निहित हो जाएंगे, अर्थात् :

- (1) सरकारी कम्पनी, उक्त अधिनियम के उपबंधों के अधीन यथा अवधारित प्रतिकर, ब्याज, नुकसान और वैसी ही मदों की बाबत किए गए सभी संदायों की केन्द्रीय सरकार को प्रतिपूर्ति करेगी;
- (2) सरकारी कम्पनी द्वारा शर्त (1) के अधीन, केन्द्रीय सरकार को संदेय रकमों का अवधारण करने के प्रयोजन के लिये उक्त अधिनियम की धारा 14 के अधीन एक अधिकरण का गठन किया जाएगा तथा ऐसे किसी अधिकरण और ऐसे अधिकरण की सहायता करने के लिये नियुक्त व्यक्तियों के संबंधों में उपगत सभी व्यय, कम्पनी द्वारा वहन किए जाएंगे और इसी प्रकार निहित उक्त भूमि में या उस पर के अधिकार के लिये या उसके संबंध में जैसे अपील आदि सभी विधिक कार्यवाहियों की बाबत उपगत, सभी व्यय भी इसी प्रकार उक्त सरकारी कम्पनी द्वारा वहन किए जाएंगे;
- (3) सरकारी कम्पनी, केन्द्रीय सरकार या उसके पदधारियों की, ऐसे किसी अन्य व्यय के संबंध में, क्षतिपूर्ति करेगी जो इस प्रकार निहित उक्त भूमि में या उस पर के अधिकारों के बारे में, केन्द्रीय सरकार या उसके पदधारियों द्वारा या उनके विरुद्ध किन्हीं कार्यवाहियों के संबंध में आवश्यक हों;
- (4) सरकारी कम्पनी को, केन्द्रीय सरकार के पूर्व अनुमोदन के बिना, उक्त भूमि और भूमि में या उसके ऊपर इस प्रकार निहित अधिकार को किसी अन्य व्यक्ति को अंतरित करने की शक्ति नहीं होगी, और
- (5) सरकारी कम्पनी, ऐसे निदेशों और शर्तों का, जो केन्द्रीय सरकार द्वारा, जब कभी आवश्यक हो, उक्त भूमि के विशिष्ट क्षेत्रों के लिये दिए जाएं या अधिरोपित की जाए, पालन करेगी।

[फा. सं. 43015/3/2009-पीआरआईडब्ल्यू-1]

एस.सी. भाटिया, निदेशक

MINISTRY OF COAL

ORDER

New Delhi, the 14th September, 2011

S.O. 2619.—Whereas, on the publication of the notification of the Government of India in the Ministry of Coal number S.O. 674 dated the 23rd February, 2011 published in the Gazette of India, Part-II, Section-3, Sub-section (ii) dated the 5th March, 2011 issued under sub-section (1) of Section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the land and all rights in or over the land described in the Schedule appended to the said notification (hereinafter referred to as the said land) vested absolutely in the Central Government free from all encumbrances under sub-section (1) of Section 10 of the said Act;

And, whereas, the Central Government is satisfied that the South Eastern Coalfields Limited, Seepat Road, Post Box number 60, District-Bilaspur-495006 (Chhattisgarh) (hereinafter referred to as the Government Company) is willing to comply with such terms and conditions as the Central Government thinks fit to impose in this behalf.

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 11 of the said Act, the Central Government hereby direct that all rights of 722.220 hectares land in or over the said lands so vested shall with effect from

5th March, 2011 instead of continuing to so vest in the Central Government shall vest in the Government Company subject to the following terms and conditions namely :

- (1) The Government Company shall reimburse to the Central Government all payments made in respect of compensation, interest, damages and the like as determined under the provisions of the said Act;
- (2) A tribunal shall be constituted under Section 14 of the said Act, for the purpose of determining the amounts payable to the Central Government by the Government Company under condition (1) and all expenditure incurred in connection with any such tribunal and persons appointed to assist the tribunal shall be borne by the Government Company and similarly, all expenditure incurred in respect of all legal proceedings like appeals etc. for or in connection with the rights in or over the said lands so vested shall also be borne by the Government Company;
- (3) The Government Company shall indemnify the Central Government or its officials against any other expenditure that may be necessary in connection with any proceedings by or against the Central Government or its officials regarding the rights in or over the said lands so vested;
- (4) The Government Company shall have no power to transfer the said land to any other persons without the prior approval of the Central Government; and
- (5) The Government Company shall abide by such direction and conditions as may be given or imposed by the Central Government for particular areas of the said land as and when necessary.

[F. No. 43015/3/2009-PRIW-1]
S.C. BHATIA, Director

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 19 सितम्बर, 2011

का. आ. 2620.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 2 के खण्ड (क) के अनुसरण में भारत के राजपत्र में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना तारीख 1 अगस्त, 2011 में निम्नलिखित रूप से संशोधन करती है, अर्थात् :—

उक्त अधिसूचना की अनुसूची में स्तम्भ 1 में “श्री श्रीकृष्ण शर्मा, उपखण्ड अधिकारी (आर.ए.एस.)” के स्थान पर “श्री शिवदत्त गौड़, आर.ए.एस.” शब्द रखे जायेंगे।

यह अधिसूचना जारी होने की तारीख से लागू होगी।

[फा. सं. एल-14014/39/2011-जीपी]
के.के. शर्मा, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 19th September, 2011

S.O. 2620.—In pursuance of clause (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Petroleum and Natural Gas dated 1st August, 2011 published in the Gazette of India namely :—

In the said notification in the Schedule in column 1 for the words “Shri Shrikrishna Sharma RAS” the words “Shri Shivdatta Gaud RAS” shall be substituted.

This notification will be effective from the date of its issue.

[F. No. L-14014/39/2011-GP]
K.K. SHARMA, Under Secy.

नई दिल्ली, 20 सितम्बर, 2011

का. आ. 2621.— भारत सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2426(अ) तारीख 27 सितम्बर, 2010 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, मैसर्स ग्लोबल इन्फ्रास्ट्रक्चर लिमिटेड के आन्ध्र प्रदेश में पूर्वी तट पर ऑनशोर टर्मिनल से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए, मैसर्स ग्लोबल इन्फ्रास्ट्रक्चर लिमिटेड द्वारा काकीनाडा- वासुदेवपुर-हावडा गैस पाइपलाइन विछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी ;

और, उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 05 मई, 2011 को अथवा उससे पूर्व उपलब्ध कर दी गई थीं ;

और, पाइपलाइन विछाने के सम्बन्ध में, जनता की ओर से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और अननुज्ञात कर दिया गया;

और, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन भारत सरकार को अपनी रिपोर्ट दे दी है ;

और, भारत सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह संतुष्ट हो जाने पर कि उक्त भूमि पाइपलाइन विछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः, अब, भारत सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन विछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और, भारत सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से भारत सरकार में निहित होने के वजाए, सभी विल्लंगों से मुक्त, मैसर्स ग्लोबल इन्फ्रास्ट्रक्चर लिमिटेड में निहित होगा।

अनुसूची

मंडल/ तेहसिल/ तालुक : खलीकोट	जिला : गंजम	राज्य : ओडिशा		
गाँव का नाम	सर्वे सं/सब डिविजन सं.	आर.ओ.यू.अर्जित करने के लिए क्षेत्रफल		
		हेक्टेयर	एयर	सि.एयर
1	2	3	4	5
1) खेन्दुपट	943	00	07	53
	946	00	09	74
	948	00	00	86
	949	00	18	42
	950	00	05	03
	951	00	02	77
	980	00	00	45
	988	00	04	45
	990	00	04	31
	994	00	01	00
	995	00	01	83
	996	00	04	90
	997	00	07	52
	999	00	04	85
	1000	00	06	82

1	2	3	4	5
1) केन्दुपट (मिरतार)	1001	00	11	19
	1142	00	01	65
	1029	00	02	61
	1030	00	04	08
	1031	00	18	01
	1032	00	00	10
	1143	00	25	04
	1158	00	00	20
	1164	00	03	02
	1166	00	04	99
	1199	00	09	37
	1196	00	02	30
	1200	00	08	07
	1195	00	00	10
	1216	00	06	56
	1218	00	00	14
	610	00	00	24
	611	00	01	60
	557	00	04	70
	605	00	03	43
	582	00	01	13
	581	00	05	63
	583	00	01	07
	580	00	00	15
	579	00	00	10
	574	00	02	92
	570	00	02	09
	569	00	05	64
	571	00	01	24
	568	00	01	74
	562	00	01	15
	563	00	00	34
	465	00	11	48
2) केन्दुवडीझोलामाला	535	00	02	03
	534	00	04	88
	242	00	08	36
	246	00	17	33
	208	00	00	21
	207	00	06	93
	206	00	07	81
	181	00	00	23
	184	00	06	75
	183	00	04	77
	53	00	10	42
	54	00	18	33
	44	00	00	10
	58	00	10	55
	59	00	07	96
	60	00	00	33
	35	00	00	10
	34	00	06	72
	30	00	03	81
	24	00	01	78

1	2	3	4	5
2) केन्दुवडीभोलाभाला (मिरवड)	29	00	03	08
	28	00	02	49
	27	00	00	45
	9	00	02	43
3) मनपली	210	00	22	16
	238	00	17	81
	242	00	06	69
	241	00	11	38
	240	00	02	82
	246	00	06	01
	247	00	01	47
	248	00	01	15
	249	00	06	43
	250	00	04	46
	299	00	01	04
	298	00	03	40
	64	00	02	65
	63	00	03	70
	62	00	02	95
	61	00	00	71
4) तीनीआमवसीआलीपाटा	287	00	02	25
	286	00	00	28
	232	00	09	14
	228	00	02	96
	227	00	02	36
	231	00	01	06
	229	00	01	70
	220	00	15	77
	221	00	00	43
	219	00	01	09
	173	00	03	97
	174	00	09	74
	175	00	02	80
	176	00	04	81
	178	00	07	54
	179	00	12	75
	180	00	00	15
5) करडावडी	57	00	00	10
	77	00	06	98
	97	00	03	82
	96	00	06	95
	98	00	00	12
	94	00	01	59
	93	00	01	10
	92	00	02	14
	90	00	01	17
	88	00	00	71
	91	00	03	95
	82	00	00	28
	83	00	02	14
	85	00	03	90
	86	00	01	27
	142	00	01	61

	1	2	3	4	5
5) कण्डावडी (निरंतर)	141		00	03	66
6) महुलावंक	828		00	02	58
	851		00	03	57
	853		00	02	61
	852		00	01	04
	854		00	01	19
	855		00	02	71
	856		00	03	35
	887		00	04	32
	886		00	06	01
	857		00	01	03
	876		00	05	73
	878		00	03	45
	879		00	02	03
	874		00	03	33
	899		00	01	60
	898		00	01	58
	901		00	03	64
	902		00	03	20
	904		00	01	44
	905		00	11	62
	954		00	00	36
	932		00	00	54
	934		00	03	06
	650		00	07	82
	649		00	00	10
	653		00	04	16
7) मलाखोजापल्ली	1874		00	29	60
	1867		00	01	00
	1866		00	01	20
	1912		00	00	60
	1875		00	03	24
	1876		00	10	79
	1877		00	06	16
	1879		00	01	05
	1880		00	07	07
	1881		00	06	89
	1897		00	09	20
	1898		00	10	59
	1895		00	01	42
	1901		00	01	43
	1902		00	08	77

1	2	3	4	5
7) मलाप्राजापल्ली (निगतर)	1911	00	05	12
	1910	00	03	55
	1984	00	01	85
	1985	00	02	89
	1982	00	02	09
	1989	00	00	58
	2002	00	02	67
	2009	00	08	33
	2007	00	03	08
	2020	00	02	72
	2018	00	00	46
	2021	00	03	76
	2022	00	04	31
	2023	00	01	69
	2262	00	06	52
	2036	00	01	03
	1999	00	00	40
	2033	00	00	65
	2038	00	14	64
	2041	00	01	64
	2040	00	01	49
	2042	00	03	63
	2044	00	08	01
	2045	00	03	60
	2043	00	01	46
	2124	00	00	89
	2121	00	00	84
	2131	00	02	75
	2147	00	15	50
	2146	00	00	79
	2144	00	01	00
	2139	00	00	25
	2141	00	09	08
	728	00	03	23
	726	00	01	99
	725	00	00	31
	702	00	02	93
	701	00	03	12
	699	00	01	00
	703	00	07	04
	704	00	05	57
	705	00	00	54

1	2	3	4	5
7) मलायोजापल्ली (निरंतर)	678	00	01	18
	679	00	04	24
	680	00	01	48
	614	00	08	58
	612	00	06	48
	567	00	05	39
	611	00	00	84
	568	00	02	63
	569	00	19	04
	564	00	01	46
	563	00	04	67
	562	00	01	06
	561	00	00	10
	553	00	00	85
	560	00	08	40
	559	00	01	14
	558	00	02	13
	557	00	00	47
	556	00	00	45
	544	00	02	47
	543	00	00	44
	542	00	00	22
	545	00	03	44
	546	00	03	36
	547	00	03	43
	537	00	12	73
	536	00	01	08
	467	00	00	16
	468	00	01	51
	480	00	02	30
	479	00	04	18
	478	00	06	49
	475	00	08	13
	446	00	01	05
8) खोजापल्ली	35	00	00	28
	34	00	01	17
	33	00	09	55
	29	00	07	97
	28	00	00	79
	8	00	09	30
	7	00	00	79
	6	00	01	55

1	2	3	4	5
8) ग्योत्रापल्ली (निगंर)	5	00	00	10
	9	00	01	71
	11	00	01	99
9) वडामालाधोडापाडा	617	00	04	47
	557	00	08	70
	558	00	01	85
	546	00	04	64
	536	00	06	56
	537	00	14	07
	710	00	02	17
	714	00	05	00
	715	00	14	17
	717	00	02	54
	493	00	00	43
	494	00	17	52
	491	00	11	96
	437	00	01	72
	438	00	03	20
	445	00	11	87
	445/1043	00	01	12
	451	00	08	88
	453	00	21	14
	454	00	04	80
	457	00	03	52
	456	00	03	93
	411	00	01	28
10) सोरीशापतावंगर	81	00	15	82
	80	00	18	13
	79	00	08	60
	78	00	09	57
	71	00	03	36
	72	00	12	69
	67	00	17	60
	123	00	02	58
	118	00	03	49
	117	00	09	19
	115	00	02	71
	106	00	00	10
	113	00	14	07
	112	00	01	13
11) सियालीपत	329	00	01	67
	324	00	01	51

1	2	3	4	5
11) मियालीपत (निगंत)	325	00	00	10
	320	00	06	09
	287	00	10	69
	285	00	06	38
	284	00	00	10
	248	00	02	67
	250	00	04	39
	260	00	10	02
	114	00	03	07
	115	00	04	18
	259	00	04	49
	137	00	32	97
	138	00	08	25
	141	00	00	10
12) कुरूमापुर	311	00	00	29
	327	00	02	72
	328	00	04	55
	329	00	01	49
	278	00	04	32
	272	00	02	39
	266	00	01	07
	253	00	05	42
	249	00	00	85
	250	00	00	17
	190	00	00	16
	189	00	13	55
	186	00	06	85
	188	00	00	43
	187	00	02	80
	184	00	06	07
13) वडामलाभलीयापदाग	415	00	13	15
	414	00	15	34
	413	00	07	04
	411	00	03	08
	412	00	01	66
14) छाकासींग	854	00	00	10
	826	00	08	43
	820	00	07	98
	808	00	13	42
	724	00	01	24
	722	00	07	62
	721	00	04	46
	549	00	02	33
	372	00	01	19
	387	00	02	81
	386	00	00	27
	385	00	00	21
	388	00	07	39
	390	00	16	69
	393	00	00	32
	394	00	00	10
	391	00	07	61
	316	00	05	06

1	2	3	4	5
14) छाकासीग (निरंतर)	319	00	19	36
	318	00	00	10
	320	00	11	13
	321	00	07	30
	305	00	27	00
	241	00	16	92
	286	00	00	75
	285	00	10	43
	282	00	07	66
	198	00	01	39
	150	00	04	89
	145	00	01	50
	118	00	17	17
	111	00	08	24
	110	00	10	29
	108	00	03	23
	106	00	00	26

[फा सं. एल.-14014/59/2010-जी.पी.]

के. के. शर्मा, अवर सचिव

New Delhi, the 20th September, 2011

S. O. 2621.—Whereas by notification of Government of India in Ministry of Petroleum and Natural Gas number S.O. 2426(E) dated 27th September, 2010, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), Government of India declared its intention to acquire the Right of User in the land, specified in the Schedule appended to that notification for the purpose of laying Kakinada-Basudebpur-Howrah gas pipeline for transportation of natural gas from onshore terminal at East coast of Andhra Pradesh of M/s Reliance Industries Limited by M/s Relogistics Infrastructure Limited to the consumers in various parts of the country;

And whereas, the copies of the said Gazette notification were made available to the public on or before 5th May, 2011;

And whereas, the objections received from the public to the laying of the pipeline have been considered and disallowed by the Competent Authority;

And whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government of India;

And whereas, Government of India, after considering the said report and on being satisfied that the said land is required for laying the pipeline, have decided to acquire the Right of User therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, Government of India hereby declare that the Right of User in the land, specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, Government of India hereby direct that the Right of User in the said land for laying the pipeline shall, instead of vesting in Government of India, vest on the date of publication of the declaration, in M/s Relogistics Infrastructure Limited, free from all encumbrances.

Schedule

Mandal/Tehsil/Taluk: Khanpeta		District: Guntur		State: Orissa	
Village	Survey No. / Sub-Division No.	Area to be acquired for ROU			
		Misc	Are	C-Are	
1	2	3	4	5	
1) Kentupat	943	00	07	53	
	946	00	09	74	
	948	00	00	86	
	949	00	18	42	
	950	00	05	03	
	951	00	02	77	
	980	00	00	45	
	988	00	04	45	
	990	00	04	31	
	994	00	01	00	
	995	00	01	83	
	996	00	04	90	
	997	00	07	52	
	999	00	04	85	
	1000	00	06	82	
	1001	00	11	19	
	1142	00	01	65	
	1029	00	02	61	
	1030	00	04	08	
	1031	00	18	01	
	1032	00	00	10	
	1143	00	25	04	
	1158	00	00	20	
	1164	00	03	02	
	1166	00	04	99	
	1199	00	09	37	
	1196	00	02	30	
	1200	00	08	07	
	1195	00	00	10	
	1216	00	06	56	
	1218	00	00	14	
	610	00	00	24	
	611	00	01	60	
	557	00	04	70	
	605	00	03	43	
	582	00	01	13	
	581	00	05	63	

1	2	3	4	5
1) Kendupat (Contd)	583	00	01	07
	580	00	00	15
	579	00	00	10
	574	00	02	92
	570	00	02	09
	569	00	05	64
	571	00	01	24
	568	00	01	74
	562	00	01	15
	563	00	00	34
	465	00	11	48
2) Kendubadijholamala	535	00	02	03
	534	00	04	88
	242	00	08	36
	246	00	17	33
	208	00	00	21
	207	00	06	93
	206	00	07	81
	181	00	00	23
	184	00	06	75
	183	00	04	77
	53	00	10	42
	54	00	18	33
	44	00	00	10
	58	00	10	55
	59	00	07	96
	60	00	00	33
	35	00	00	10
	34	00	06	72
	30	00	03	81
	24	00	01	78
	29	00	03	08
	28	00	02	49
	27	00	00	45
	9	00	02	43
3) Manapalli	210	00	22	16
	238	00	17	81
	242	00	06	69
	241	00	11	38
	240	00	02	82
	246	00	06	01
	247	00	01	47

1	2	3	4	5
3) Manapalli (Contd)	248	00	01	15
	249	00	06	43
	250	00	04	46
	299	00	01	04
	298	00	03	40
	64	00	02	65
	63	00	03	70
	62	00	02	95
	61	00	00	71
4) Tiniambasialipata	287	00	02	25
	286	00	00	28
	232	00	09	14
	228	00	02	96
	227	00	02	36
	231	00	01	06
	229	00	01	70
	220	00	15	77
	221	00	00	43
	219	00	01	09
	173	00	03	97
	174	00	09	74
	175	00	02	80
	176	00	04	81
	178	00	07	54
	179	00	12	75
	180	00	00	15
5) Karadabadi	57	00	00	10
	77	00	06	98
	97	00	03	82
	96	00	06	95
	98	00	00	12
	94	00	01	59
	93	00	01	10
	92	00	02	14
	90	00	01	17
	88	00	00	71
	91	00	03	95
	82	00	00	28
	83	00	02	14
	85	00	03	90
	86	00	01	27
	142	00	01	61

1	2	3	4	5
5) Karadabadi (Contd)	141	00	03	66
6) Mahulbank	828	00	02	58
	851	00	03	57
	853	00	02	61
	852	00	01	04
	854	00	01	19
	855	00	02	71
	856	00	03	35
	887	00	04	32
	886	00	06	01
	857	00	01	03
	876	00	05	73
	878	00	03	45
	879	00	02	03
	874	00	03	33
	899	00	01	60
	898	00	01	58
	901	00	03	64
	902	00	03	20
	904	00	01	44
	905	00	11	62
	954	00	00	36
	932	00	00	54
	934	00	03	06
	650	00	07	82
	649	00	00	10
	653	00	04	16
7) Malakhojapalli	1874	00	29	60
	1867	00	01	00
	1866	00	01	20
	1912	00	00	60
	1875	00	03	24
	1876	00	10	79
	1877	00	06	16
	1879	00	01	05
	1880	00	07	07
	1881	00	06	89
	1897	00	09	20
	1898	00	10	59
	1895	00	01	42
	1901	00	01	43
	1902	00	08	77

1	2	3	4	5
7) Malakhoppelli (Contd)	1911	00	05	12
	1910	00	03	55
	1984	00	01	85
	1985	00	02	89
	1982	00	02	09
	1989	00	00	58
	2002	00	02	67
	2009	00	08	33
	2007	00	03	08
	2020	00	02	72
	2018	00	00	46
	2021	00	03	76
	2022	00	04	31
	2023	00	01	69
	2262	00	06	52
	2036	00	01	03
	1999	00	00	40
	2033	00	00	65
	2038	00	14	64
	2041	00	01	64
	2040	00	01	49
	2042	00	03	63
	2044	00	08	01
	2045	00	03	60
	2043	00	01	46
	2124	00	00	89
	2121	00	00	84
	2131	00	02	75
	2147	00	15	50
	2146	00	00	79
	2144	00	01	00
	2139	00	00	25
	2141	00	09	08
	728	00	03	23
	726	00	01	99
	725	00	00	31
	702	00	02	93
	701	00	03	12
	699	00	01	00
	703	00	07	04
	704	00	05	57
	705	00	00	54

1	2	3	4	5
7) Malakhejapalli (Contd.)	678	00	01	18
	679	00	04	24
	680	00	01	48
	614	00	08	58
	612	00	06	48
	567	00	05	39
	611	00	00	84
	568	00	02	63
	569	00	19	04
	564	00	01	46
	563	00	04	67
	562	00	01	06
	561	00	00	10
	553	00	00	85
	560	00	08	40
	559	00	01	14
	558	00	02	13
	557	00	00	47
	556	00	00	45
	544	00	02	47
	543	00	00	44
	542	00	00	22
	545	00	03	44
	546	00	03	36
	547	00	03	43
	537	00	12	73
	536	00	01	08
	467	00	00	16
	468	00	01	51
	480	00	02	30
	479	00	04	18
	478	00	06	49
	475	00	08	13
	446	00	01	05
8) Khojapalli	35	00	00	28
	34	00	01	17
	33	00	09	55
	29	00	07	97
	28	00	00	79
	8	00	09	30
	7	00	00	79
	6	00	01	55

1	2	3	4	5
8) Khojapalli (Contd)	5	00	00	10
	9	00	01	71
	11	00	01	99
9) Badamalaghodapada	617	00	04	47
	557	00	08	70
	558	00	01	85
	546	00	04	64
	536	00	06	56
	537	00	14	07
	710	00	02	17
	714	00	05	00
	715	00	14	17
	717	00	02	54
	493	00	00	43
	494	00	17	52
	491	00	11	96
	437	00	01	72
	438	00	03	20
	445	00	11	87
	445/1043	00	01	12
	451	00	08	88
	453	00	21	14
	454	00	04	80
	457	00	03	52
	456	00	03	93
	411	00	01	28
10) Sorishapatabanjar	81	00	15	82
	80	00	18	13
	79	00	08	60
	78	00	09	57
	71	00	03	36
	72	00	12	69
	67	00	17	60
	123	00	02	58
	118	00	03	49
	117	00	09	19
	115	00	02	71
	106	00	00	10
	113	00	14	07
	112	00	01	13
11) Sialipat	329	00	01	67
	324	00	01	51

	1	2	3	4	5
11) Sialpat (Contd)	325		00	00	10
	320		00	06	09
	287		00	10	69
	285		00	06	38
	284		00	00	10
	248		00	02	67
	250		00	04	39
	260		00	10	02
	114		00	03	07
	115		00	04	18
	259		00	04	49
	137		00	32	97
	138		00	08	25
	141		00	00	10
12) Kurumapur	311		00	00	29
	327		00	02	72
	328		00	04	55
	329		00	01	49
	278		00	04	32
	272		00	02	39
	266		00	01	07
	253		00	05	42
	249		00	00	85
	250		00	00	17
	190		00	00	16
	189		00	13	55
	186		00	06	85
	188		00	00	43
	187		00	02	80
	184		00	06	07
13) Banmalabhalipadara	415		00	13	15
	414		00	15	34
	413		00	07	04
	411		00	03	08
	412		00	01	66
14) Chhakasing	854		00	00	10
	826		00	08	43
	820		00	07	98
	808		00	13	42
	724		00	01	24
	722		00	07	62
	721		00	04	46
	549		00	02	33
	372		00	01	19
	387		00	02	81
	386		00	00	27
	385		00	00	21
	388		00	07	39
	390		00	16	69
	393		00	00	32
	394		00	00	10
	391		00	07	61
	316		00	05	06

	1	2	3	4	5
14) Chhakasing (Contd)	319		00	19	36
	318		00	00	10
	320		00	11	13
	321		00	07	30
	305		00	27	00
	241		00	16	92
	286		00	01	75
	285		00	12	43
	282		00	07	66
	198		00	01	39
	150		00	04	89
	145		00	01	50
	118		00	17	17
	111		00	08	24
	110		00	10	29
	108		00	03	23
	106		00	00	26

F. No. L-14014/59/2010-G.P.]

K. K. SHARMA, Under Secy.

नई दिल्ली, 20 सितम्बर, 2011

का. आ. 2622. — भारत सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिमूचना संख्या का.आ. 2429(अ) तारीख 27 सितम्बर, 2010 द्वारा, उस अधिमूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, मैसर्स रिलोअंस इन्फ्रास्ट्रक्चर लिमिटेड के आन्ध्र प्रदेश में पूर्वी तट पर ऑनशोर टर्मिनल से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए, मैसर्स रिलोअंस इन्फ्रास्ट्रक्चर लिमिटेड द्वारा काकीनाडा- वामुदेवपुर-हावड़ा गैस पाइपलाइन विछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी ;

और, उक्त राजपत्र अधिमूचना की प्रतियाँ जनता को तारीख 23 फरवरी, 2011 को अथवा उससे पूर्व उपलब्ध कर दी गई थीं ;

और, पाइपलाइन विछाने के सम्बन्ध में, जनता की ओर से प्राप्त आक्षेपों पर मक्षम प्राधिकारी द्वारा विचार कर लिया गया है और अनुज्ञात कर दिया गया;

और, मक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन भारत सरकार को अपनी रिपोर्ट दे दी है ;

और, भारत सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह संतुष्ट हो जाने पर कि उक्त भूमि पाइपलाइन विछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः, अब, भारत सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिमूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन विछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और, भारत सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से भारत सरकार में निहित होने के बजाए, सभी विल्लंगमों से मुक्त, मैसर्स रिलोअंस इन्फ्रास्ट्रक्चर लिमिटेड में निहित होगा।

अनुसूची

मंडल/ तेहमिल/ तालुक : पुरुसोतमपुर	जिला : गंजम	गज्य : ओडिशा		
गाँव का नाम	सर्वे सं/सब डिविजन सं.	आर.ओ.यू.अर्जित करने के लिए क्षेत्रफल		
		हेक्टेयर	एयर	सि.एयर
1	2	3	4	5
1) गयपुर	3974	00	01	45
	3975	00	02	35
	3976	00	01	10
	3983	00	01	67
	846/3982	00	03	47
	3981	00	03	97
	845/3980	00	03	88
	3978	00	01	15
	3991	00	02	61
	3992	00	01	74
	3993	00	00	91
	850/3988	00	00	10
	851/3995	00	04	79
	852/3996	00	06	94
	4037	00	00	10
	856/4036	00	05	38
	855/4035	00	02	02
	854/4034	00	02	48
	853/4032	00	05	72
	859/4055	00	09	67
	4063	00	01	13
	4069	00	00	10
	4075	00	00	10
	4057	00	00	43
	4056	00	02	45
	4062	00	03	30
	4070	00	00	56
	4071	00	00	58
	4074	00	02	24
	4072	00	00	63
	4081	00	03	20
	4085	00	03	17
	4098	00	01	99
	4125	00	00	29
	4096	00	02	00
	4084	00	00	26
	4097	00	01	63

1	2	3	4	5
1) गयपुर (निरंतर)	4126	00	07	50
	4127	00	02	76
	4129	00	01	04
	4128	00	00	10
	4130	00	03	54
	4131	00	01	17
	4132	00	02	96
	3808	00	00	84
	805/3808	00	00	10
	3800	00	00	94
	3799	00	03	38
	3798	00	05	00
	972/4445	00	07	31
	970/4443	00	04	36
	969/4432	00	05	45
	4442	00	04	61
	4433	00	03	08
	4434	00	03	32
	4435	00	06	76
	4436	00	03	31
	967/4428	00	03	36
	966/4427	00	00	82
	964/4422	00	05	08
	4408	00	00	63
	960/4412	00	02	82
	4415	00	00	27
	962/4414	00	01	04
	955/4403	00	07	59
	951/4394	00	03	80
	947/4388	00	03	58
	4387	00	02	84
	942/4370	00	00	27
	946/4385	00	02	81
	4384	00	05	17
	4475	00	07	63
	993/4476	00	01	61
	992/4474	00	09	30
	1030/4583	00	07	38
	4584	00	04	11
	4585	00	01	63
	1031/4586	00	13	55
	1049/4612	00	00	96

1	2	3	4	5
1) गयपुर (निरंतर)	1048/4611	00	04	71
	1032/4588	00	04	36
	1712	00	01	74
	391/2192	00	20	65
	1716	00	05	35
	176/1717	00	02	05
	178/1720	00	02	87
	179/1721	00	01	04
	177/1719	00	02	97
	184/1727	00	02	09
	185/1728	00	13	92
	206/1756	00	03	78
	202/1752	00	09	23
	210/1760	00	05	95
	211/1761	00	00	97
	249/1817	00	05	58
	248/1815	00	20	65
	257/1833	00	12	94
	1869	00	02	69
	1870	00	03	74
	1868	00	00	61
	1867	00	00	95
	1866	00	02	12
	1865	00	01	18
	1873	00	01	61
	1889	00	04	32
	1888	00	04	41
	1886	00	05	68
	1884	00	00	64
	262/1885	00	13	57
	1903	00	00	10
	1904	00	00	18
	1905	00	00	49
	1912	00	02	70
	286/1948	00	03	59
	1913	00	05	82
	270/1924	00	04	73
	276/1931	00	05	44
	1549	00	01	04
	148/1546	00	08	64
	150/1553	00	01	32
	118/1496	00	04	80

1	2	3	4	5
1) गयपुर (मिर्गा)	123/1504	00	01	23
	124/1505	00	10	37
	126/1507	00	01	76
	125/1506	00	14	06
	127/1508	00	03	78
2) जलेश्वरगखंडी	503/1261	00	06	35
	503/1253	00	03	75
	1250	00	00	10
	502/1247	00	06	77
	501/1246	00	05	56
	499/1244	00	04	23
	1242	00	00	10
	1240	00	00	69
	413/1071	00	21	24
	1100	00	06	12
	1098	00	00	10
	433/1099	00	19	40
	438/1108	00	11	58
	440/1110	00	06	45
	447/1128	00	07	56
	445/1126	00	00	89
	446/1127	00	05	80
	454/1141	00	00	10
	461/1152	00	02	18
	463/1154	00	08	81
	464/1155	00	06	56
	465/1156	00	11	07
	467/1158	00	00	91
	468/1159	00	00	63
	469/1160	00	00	10
	1166	00	08	34
	151/1167	00	05	11
	152/485	00	02	00
	151/484	00	06	74
	150/483	00	19	51
3) प्रताप पुर	1733	00	00	38
	1734	00	00	31
	1735	00	00	50
	1736	00	01	20
	453/1738	00	00	57
	236/305	00	00	74
	238/307	00	07	93

1	2	3	4	5
3) प्रताप पुर (निगलर)	248/317	00	02	14
	242/311	00	04	93
	161/225	00	05	48
	121/185	00	03	14
	143	00	44	18
	60/120	00	05	34
	57/117	00	19	89
	43/81	00	06	78
	45/95	00	04	53
	17/21	00	04	62
	20/26	00	17	06
4) खाजी पली	763	00	04	55
	758	00	03	20
	757	00	05	82
	764	00	02	80
	765	00	00	74
	756	00	01	26
	770	00	20	21
	740	00	00	10
	736	00	22	80
	778	00	00	10
	712	00	01	38
	710	00	00	39
	711	00	04	78
	781	00	01	30
	782	00	00	14
	702	00	03	97
	799	00	05	82
	801	00	13	78
	802	00	01	06
	697	00	03	18
	803	00	09	49
	804	00	07	22
	696	00	00	10
	692	00	04	97
	689	00	07	50
	683	00	04	27
	690	00	01	13
	672	00	00	10
	307	00	08	98
	308	00	02	25
	309	00	00	75

1	2	3	4	5
4) खाजी पली (निग्नर)	251	00	06	53
	252	00	02	04
	250	00	06	61
	247	00	04	43
	248	00	00	22
	240	00	00	10
	243	00	04	72
	236	00	07	74
	233	00	00	84
	237	00	02	26
	127/190	00	01	38
	191	00	08	88
	193	00	00	10
	201	00	11	72
	202	00	10	55
	203	00	06	52
	205	00	08	18
	207	00	00	10
	206	00	13	92
	208	00	00	27
	209	00	05	87
	210	00	05	57
	211	00	08	77
	143	00	02	78
5) विलासपुर	735	00	10	04
	740	00	02	34
	748	00	06	68
	749	00	03	69
	765	00	08	25
	722	00	00	10
	712	00	02	78
	711	00	01	81
6) कमनालिख्यापुर	83/134	00	11	70
	81/132	00	02	80
	5/6	00	00	10
	4/4	00	22	22
	13/19	00	08	28
	22	00	02	78
7) छेलु	1503	00	02	31
	1504	00	09	32
	1505	00	09	70
	1507	00	07	21

	1	2	3	4	5
7) छलु (निग्नर)	1508		00	05	30
8) लंगलाघाई नली नख्यापुर	160		00	02	70
	126		00	05	27
	161		00	00	20
	165		00	07	30
	166		00	21	79
	167		00	10	15
	168		00	10	28
	116		00	00	21
	99		00	11	58
	90		00	01	38
	85		00	07	26
	84		00	04	94
	83		00	00	59
	81		00	05	65
	82		00	00	10
	73		00	01	29
	76		00	07	08
	77		00	02	91
	75		00	06	75
9) लंगलाघाई	175/421		00	06	59
	174/420		00	13	59
	170/416		00	17	34
	168/414		00	00	10
10) वदरामपली	84		00	13	13
	83		00	10	67
	87		00	01	42
	90		00	00	10
	103		00	09	00
	106		00	06	12
	65		00	01	58
	64		00	03	38
	60		00	11	61
	109		00	17	95
	120		00	01	03
	55		00	07	84
	54		00	09	12
	124		00	01	05
	125		00	04	73
	51		00	02	88
	31		00	01	71
	47		00	01	53

1	2	3	4	5
10) वडगमपली (मिर्गतर)	33	00	11	06
	34	00	00	40
11) गौदानुआगन	521	00	18	00
	522	00	05	80
	523	00	00	91
	520	00	06	63
	519	00	02	66
	518	00	06	45
12) कोमंडा	10	00	07	42
	8	00	01	81
	9	00	04	37
	13	00	14	48
	14	00	11	39
	27	00	12	23
	30	00	07	45
	31	00	07	51
	33	00	13	14
	34	00	00	64
	42	00	10	90
	60	00	04	12
	59	00	12	54
	80	00	18	47
	79	00	06	65
	81	00	01	07
	78	00	12	13
	83	00	00	22
	85	00	16	23
	90	00	04	82
	91	00	06	26
	74	00	03	38
	92	00	13	56
	93	00	00	42
	95	00	19	35
	98	00	05	68
	98/2496	00	07	57
	908	00	01	02
	909	00	03	44
	916	00	07	12
	917	00	00	89
	928	00	00	46
	941	00	05	48
	942	00	01	96

1	2	3	4	5
12) कोमंडा (निगंत)	943	00	02	87
	945	00	16	55
	948	00	02	75
	950	00	01	20
	966	00	00	89
	967	00	00	46
	970	00	01	09
	971	00	02	37
	985	00	00	55
13) गुग्डा	895	00	01	31
	906	00	00	59
	1157	00	09	02
	1158	00	10	91
	1159	00	00	78
	1160	00	14	47
	1168	00	03	88
	1169	00	00	13
	1130	00	03	00
	1128	00	06	39
	1127	00	09	55
	1126	00	00	43
	1116	00	04	24
	1115	00	03	54
	1114	00	01	16
	1112	00	07	26
	1108/1181	00	20	75
	1100	00	01	56
	1102	00	07	93
	1103	00	09	61
	1104	00	23	10
	1078	00	15	02
	1067	00	14	06
14) झरापली	384	00	03	60
	383	00	04	67
	385	00	09	49
15) रघुनाथपुर	928	00	07	99
	930	00	00	24
	926	00	00	12
	925	00	14	99
	924	00	00	31
	918	00	17	41
	917	00	00	10

1	2	3	4	5
15) ग्धुनाथपुर (निरंतर)	919	00	03	95
	920	00	00	10
	902	00	01	25
	903	00	23	87
	904	00	01	38
	896	00	00	10
	897	00	06	74
	1015	00	10	00
	1016	00	00	53
	875	00	08	93
	1017	00	04	32
	1019	00	00	70
	867	00	00	24
	866	00	29	42
	865	00	02	51
	858	00	04	61
	854	00	01	41
	305	00	00	31
	853	00	06	35
	1143	00	03	81
	852	00	19	81
	836	00	08	84
	824	00	06	88
	827	00	02	53
	828	00	01	66
	826	00	06	84
	825	00	00	69
	821	00	10	25
	818	00	15	86
	801	00	16	02
	803	00	00	10
	798	00	01	66
	796	00	00	10
	688	00	01	69
	689	00	20	84
	690	00	00	99
	696	00	01	30
	695	00	04	94
	694	00	07	60
	693	00	03	94
	692	00	02	87
	701	00	23	45
	702	00	08	49

New Delhi, the 20th September, 2011

S. O. 2622.— Whereas by notification of Government of India in Ministry of Petroleum and Natural Gas number S.O. 2429(E) dated 27th September, 2010, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), Government of India declared its intention to acquire the Right of User in the land, specified in the Schedule appended to that notification for the purpose of laying Kakinada-Basudebpur-Howrah gas pipeline for transportation of natural gas from onshore terminal at East coast of Andhra Pradesh of M/s Reliance Industries Limited by M/s Relogistics Infrastructure Limited to the consumers in various parts of the country;

And whereas, the copies of the said Gazette notification were made available to the public on or before 23rd February, 2011;

And whereas, the objections received from the public to the laying of the pipeline have been considered and disallowed by the Competent Authority;

And whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government of India;

And whereas, Government of India, after considering the said report and on being satisfied that the said land is required for laying the pipeline, have decided to acquire the Right of User therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, Government of India hereby declare that the Right of User in the land, specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, Government of India hereby direct that the Right of User in the said land for laying the pipeline shall, instead of vesting in Government of India, vest on the date of publication of the declaration, in M/s Relogistics Infrastructure Limited, free from all encumbrances.

Schedule

Mandal/Tehsil/Taluk:Purusottampur		District:Ganjam		State:Orissa	
Village	Survey No./Sub-Division No.	Area to be acquired for RoU			
		Hec	Are	C-Are	
1	2	3	4	5	

1) Raipur	3974	00	01	45	
	3975	00	02	35	
	3976	00	01	10	
	3983	00	01	67	
	846/3982	00	03	47	
	3981	00	03	97	
	845/3980	00	03	88	
	3978	00	01	15	
	3991	00	02	61	
	3992	00	01	74	
	3993	00	00	91	
	850/3988	00	00	10	
	851/3995	00	04	79	
	852/3996	00	06	94	
	4037	00	00	10	
	856/4036	00	05	38	
	855/4035	00	02	02	
	854/4034	00	02	48	
	853/4032	00	05	72	
	859/4055	00	09	67	
	4063	00	01	13	
	4069	00	00	10	
	4075	00	00	10	
	4057	00	00	43	
	4056	00	02	45	
	4062	00	03	30	
	4070	00	00	56	
	4071	00	00	58	
	4074	00	02	24	
	4072	00	00	63	
	4081	00	03	20	
	4085	00	03	17	
	4098	00	01	99	
	4125	00	00	29	
	4096	00	02	00	
	4084	00	00	26	
	4097	00	01	63	

1	2	3	4	5
1) Raipur (Contd)	4126	00	07	50
	4127	00	02	76
	4129	00	01	04
	4128	00	00	10
	4130	00	03	54
	4131	00	01	17
	4132	00	02	96
	3809	00	00	84
	805/3808	00	00	10
	3800	00	00	94
	3799	00	03	38
	3798	00	05	00
	972/4445	00	07	31
	970/4443	00	04	36
	969/4432	00	05	45
	4442	00	01	61
	4433	00	03	08
	4434	00	03	32
	4435	00	06	76
	4436	00	03	31
	967/4428	00	03	36
	966/4427	00	00	82
	964/4422	00	05	08
	4408	00	00	63
	960/4412	00	02	82
	4415	00	00	27
	962/4414	00	01	04
	955/4403	00	07	59
	951/4394	00	03	80
	947/4388	00	03	58
	4387	00	02	84
	942/4370	00	00	27
	946/4385	00	02	81
	4384	00	05	17
	4475	00	07	63
	993/4476	00	01	61
	992/4474	00	09	30
	1030/4583	00	07	38
	4584	00	04	11
	4585	00	01	63
	1031/4586	00	13	55
	1049/4612	00	00	96

1	2	3	4	5
1) Raipur (Contd)	1048/4611	00	04	71
	1032/4588	00	04	36
	1712	00	01	74
	391/2192	00	20	65
	1716	00	05	35
	176/1717	00	02	05
	178/1720	00	02	87
	179/1721	00	01	04
	177/1719	00	02	97
	184/1727	00	02	09
	185/1728	00	13	92
	206/1756	00	03	78
	202/1752	00	09	23
	210/1760	00	05	95
	211/1761	00	00	97
	249/1817	00	05	58
	248/1815	00	20	65
	257/1833	00	12	94
	1869	00	02	69
	1870	00	03	74
	1868	00	00	61
	1867	00	00	95
	1866	00	02	12
	1865	00	01	18
	1873	00	01	61
	1889	00	04	32
	1888	00	04	41
	1886	00	05	68
	1884	00	00	64
	262/1885	00	13	57
	1903	00	00	10
	1904	00	00	18
	1905	00	00	49
	1912	00	02	70
	286/1948	00	03	59
	1913	00	05	82
	270/1924	00	04	73
	276/1931	00	05	44
	1549	00	01	04
	148/1546	00	08	64
	150/1553	00	01	32
	118/1496	00	04	80

1	2	3	4	5
1) Raipur (Contd)	123/1504	00	01	23
	124/1505	00	10	37
	126/1507	00	01	76
	125/1506	00	14	06
	127/1508	00	03	78
2) Jaleswarakhadi	503/1261	00	06	35
	503/1253	00	03	75
	1250	00	00	10
	502/1247	00	06	77
	501/1246	00	05	56
	499/1244	00	04	23
	1242	00	00	10
	1240	00	00	69
	413/1071	00	21	24
	1100	00	06	12
	1098	00	00	10
	433/1099	00	19	40
	438/1108	00	11	58
	440/1110	00	06	45
	447/1128	00	07	56
	445/1126	00	00	89
	446/1127	00	05	80
	454/1141	00	00	10
	461/1152	00	02	18
	463/1154	00	08	81
	464/1155	00	06	56
	465/1156	00	11	07
	467/1158	00	00	91
	468/1159	00	00	63
	469/1160	00	00	10
	1166	00	08	34
	151/1167	00	05	11
	152/485	00	02	00
	151/484	00	06	74
	150/483	00	19	51
3) Pratap Pur	1733	00	00	38
	1734	00	00	31
	1735	00	00	50
	1736	00	01	20
	453/1738	00	00	57
	236/305	00	00	74
	238/307	00	07	93

1	2	3	4	5
3) Pratap Pur (Contd)	248/317	00	02	14
	242/311	00	04	93
	161/225	00	05	48
	121/185	00	03	14
	143	00	44	18
	60/120	00	05	34
	57/117	00	19	89
	43/81	00	06	78
	45/95	00	04	53
	17/21	00	04	62
	20/26	00	17	06
4) Khaji Palli	763	00	04	55
	758	00	03	20
	757	00	05	82
	764	00	02	80
	765	00	00	74
	756	00	01	26
	770	00	20	21
	740	00	00	10
	736	00	22	80
	778	00	00	10
	712	00	01	38
	710	00	00	39
	711	00	04	78
	781	00	01	30
	782	00	00	14
	702	00	03	97
	799	00	05	82
	801	00	13	78
	802	00	01	06
	697	00	03	18
	803	00	09	49
	804	00	07	22
	696	00	00	10
	692	00	04	97
	689	00	07	50
	683	00	04	27
	690	00	01	13
	672	00	00	10
	307	00	08	98
	308	00	02	25
	309	00	00	75

1	2	3	4	5
4) Khaji Palli (Contd.)	251	00	06	53
	252	00	02	04
	250	00	06	61
	247	00	04	43
	248	00	00	22
	240	00	00	10
	243	00	04	72
	236	00	07	74
	233	00	00	84
	237	00	02	26
	127/190	00	01	38
	191	00	08	88
	193	00	00	10
	201	00	11	72
	202	00	10	55
	203	00	06	52
	205	00	08	18
	207	00	00	10
	206	00	13	92
	208	00	00	27
	209	00	05	87
	210	00	05	57
	211	00	08	77
	143	00	02	78
5) Bilaspur	735	00	10	04
	740	00	02	34
	748	00	06	68
	749	00	03	69
	765	00	08	25
	722	00	00	10
	712	00	02	78
	711	00	01	81
6) Kamanalinakhyapur	83/134	00	11	70
	81/132	00	02	80
	5/6	00	00	10
	4/4	00	22	22
	13/19	00	08	28
	22	00	02	78
7) Chhelu	1503	00	02	31
	1504	00	09	32
	1505	00	09	70
	1507	00	07	21

1	2	3	4	5
7) Chhelu (Contd)	1508	00	05	30
8) Langalaghai Nali Nakhyapur	160	00	02	70
	126	00	05	27
	161	00	00	20
	165	00	07	30
	166	00	21	79
	167	00	10	15
	168	00	10	28
	116	00	00	21
	99	00	11	58
	90	00	01	38
	85	00	07	26
	84	00	04	94
	83	00	00	59
	81	00	05	65
	82	00	00	10
	73	00	01	29
	76	00	07	08
	77	00	02	91
	75	00	06	75
9) Langalaghai	175/421	00	06	59
	174/420	00	13	59
	170/416	00	17	34
	168/414	00	00	10
10) Badarampalli	84	00	13	13
	83	00	10	67
	87	00	01	42
	90	00	00	10
	103	00	09	00
	106	00	06	12
	65	00	01	58
	64	00	03	38
	60	00	11	61
	109	00	17	95
	120	00	01	03
	55	00	07	84
	54	00	09	12
	124	00	01	05
	125	00	04	73
	51	00	02	88
	31	00	01	71
	47	00	01	53

1	2	3	4	5
10) Badarampalli (Contd)	33	00	11	06
	34	00	00	40
11) Gaudanuagan	521	00	18	00
	522	00	05	80
	523	00	00	91
	520	00	06	63
	519	00	02	66
	518	00	06	45
12) Komanda	10	00	07	42
	8	00	01	81
	9	00	04	37
	13	00	14	48
	14	00	11	39
	27	00	12	23
	30	00	07	45
	31	00	07	51
	33	00	13	14
	34	00	00	64
	42	00	10	90
	60	00	04	12
	59	00	12	54
	80	00	18	47
	79	00	06	65
	81	00	01	07
	78	00	12	13
	83	00	00	22
	85	00	16	23
	90	00	04	82
	91	00	06	26
	74	00	03	38
	92	00	13	56
	93	00	00	42
	95	00	19	35
	98	00	05	68
	98/2496	00	07	57
	908	00	01	02
	909	00	03	44
	916	00	07	12
	917	00	00	89
	928	00	00	46
	941	00	05	48
	942	00	01	96

1	2	3	4	5
12) Komanda (Contd)	943	00	02	87
	945	00	16	55
	948	00	02	75
	950	00	01	20
	966	00	00	89
	967	00	00	46
	970	00	01	09
	971	00	02	37
	985	00	00	55
13) Guranda	895	00	01	31
	906	00	00	59
	1157	00	09	02
	1158	00	10	91
	1159	00	00	78
	1160	00	14	47
	1168	00	03	88
	1169	00	00	13
	1130	00	03	00
	1128	00	06	39
	1127	00	09	55
	1126	00	00	43
	1116	00	04	24
	1115	00	03	54
	1114	00	01	16
	1112	00	07	26
	1108/1181	00	20	75
	1100	00	01	56
	1102	00	07	93
	1103	00	09	61
	1104	00	23	10
	1078	00	15	02
	1067	00	14	06
14) Jharapalli	384	00	03	60
	383	00	04	67
	385	00	09	49
15) Raghunathpur	928	00	07	99
	930	00	00	24
	926	00	00	12
	925	00	14	99
	924	00	00	31
	918	00	17	41
	917	00	00	10

1	2	3	4	5
15) Raghunathpur (Contd)	919	00	03	95
	920	00	00	10
	902	00	01	25
	903	00	23	87
	904	00	01	38
	896	00	00	10
	897	00	06	74
	1015	00	10	00
	1016	00	00	53
	875	00	08	93
	1017	00	04	32
	1019	00	00	70
	867	00	00	24
	866	00	29	42
	865	00	02	51
	858	00	04	61
	854	00	01	41
	305	00	00	31
	853	00	06	35
	1143	00	03	81
	852	00	19	81
	836	00	08	84
	824	00	06	88
	827	00	02	53
	828	00	01	66
	826	00	06	84
	825	00	00	69
	821	00	10	25
	818	00	15	86
	801	00	16	02
	803	00	00	10
	798	00	01	66
	796	00	00	10
	688	00	01	69
	689	00	20	84
	690	00	00	99
	696	00	01	30
	695	00	04	94
	694	00	07	60
	693	00	03	94
	692	00	02	87
	701	00	23	45
	702	00	08	49

F. No. L-14014/57/2010-G.P.]
K. K. SHARMA, Under Secy.

नई दिल्ली, 23 सितम्बर, 2011

का. आ. 2623.—भारत सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2453 तारीख 30.09.2010 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, तमिलनाडु में तिरुतनी के पास विजयवाडा-नैलुर-चैन्नई पाइपलाइन के टर्मिनल प्वाइंट से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए, मैसर्स रिलोजिसटिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा चैन्नई-बंगलौर-अंगकोर पाइपलाइन विछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी ;

और, उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 18 मार्च, 2011 को अथवा उससे पूर्व उपलब्ध करा दी गई थीं ;

और, पाइपलाइन विछाने के संबंध में, जनता की ओर से कोई आक्षेप प्राप्त नहीं हुआ है ;

और, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन भारत सरकार को अपनी रिपोर्ट दे दी है ;

और, भारत सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह संतुष्ट हो जाने पर कि उक्त भूमि पाइपलाइन विछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः, अब, भारत सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन विछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और, भारत सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से भारत सरकार में निहित होने के बजाए, सभी विल्लंगमों से मुक्त, मैसर्स रिलोजिसटिक्स इन्फ्रास्ट्रक्चर लिमिटेड में निहित होगा ।

अनुसूची

तालुक : मुलवागलु		जिला : कोलार		राज्य : कर्नाटक	
गाँव का नाम	सर्वे सं/सब डिविजन सं.	आर.ओ.यू.अर्जित करने के लिए क्षेत्रफल			
		हेक्टेयर	एयर	सि. एयर	
1	2	3	4	5	
1) लक्कदोड्डि	16/5	00	22	29	
	17/1	00	27	48	
	17/2	00	02	45	
	15/1	00	56	28	
	22	00	16	43	
	14/1	00	02	53	
	13	00	06	85	
	14/2	00	32	50	

1	2	3	4	5
1) कुरुवरहल्ली	2	00	49	34
	1/2	00	28	37
	1/1	00	23	68
	42	00	03	32
	47/1	00	16	62
	44	00	02	31
	45/1	00	28	30
	36/1	00	15	91
	43	00	27	59
	41	00	29	13
	46/1	00	09	00
	46/2	00	09	61
	39/1	00	28	99
	39/2	00	05	69
	31/1	00	00	70
	31/2	00	04	04
	31/3	00	48	24
	31/4	00	13	87

[फा सं. एल. 14014/63/2010 जी.पी.]

के. के. शर्मा, अवर सचिव

New Delhi, the 23rd September, 2011

S. O. 2623.— Whereas by notification of Government of India in Ministry of Petroleum and Natural Gas, number S.O. 2453, dated. 30-09-2010, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), Government of India declared its intention to acquire the Right of User in the land, specified in the Schedule appended to that notification for the purpose of laying Chennai-Bangalore-Mangalore gas pipeline for transportation of natural gas from terminal point of Vijayawada-Nellore-Chennai pipeline near Tiruttani in TamilNadu by M/s Relogistics Infrastructure Limited to the consumers in various parts of country;

And whereas, the copies of the said Gazette notification were made available to the public on or before 18th March, 2011;

And whereas, no objection has been received from the public to the laying of the pipeline.;

And whereas, the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted report to the Government of India;

And whereas, Government of India, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the Right of User therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, Government of India hereby declares that the Right of User in the land, specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, Government of India hereby directs that the Right of User in the said land for laying the pipeline shall, instead of vesting in Government of India, vest on the date of publication of the declaration, in M/s Relogistics Infrastructure Limited, free from all encumbrances.

Schedule

Taluk: Mulbagalu		District: Kolar		State: Karnataka	
Village	Survey No./Sub-Division No.	Area to be acquired for RoU			
		Hec	Are	C-Are	
1	2	3	4	5	
1) Lakkadoddi	16/5	00	22	29	
	17/1	00	27	48	
	17/2	00	02	45	
	15/1	00	56	28	
	22	00	16	43	
	14/1	00	02	53	
	13	00	06	85	
	14/2	00	32	50	
2) Kurubarahalli	2	00	49	34	
	1/2	00	28	37	
	1/1	00	23	68	
	42	00	03	32	
	47/1	00	16	62	
	44	00	02	31	
	45/1	00	28	30	
	36/1	00	15	91	
	43	00	27	59	
	41	00	29	13	
	46/1	00	09	00	
	46/2	00	09	61	
	39/1	00	28	99	
	39/2	00	05	69	
	31/1	00	00	70	
	31/2	00	04	04	
	31/3	00	48	24	
	31/4	00	13	87	

F. No. L-14014/63/2010-G.P.]

K. K. SHARMA, Under Secy.

नई दिल्ली, 23 सितम्बर, 2011

S. O. 2624.— भारत सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन), अधिनियम, 1962 (1962 का 50) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2455, तारीख 30.09.2010 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, तमिलनाडु में तिरुतनी के पास विजयवाडा-नैलुर-चैन्नई पाइपलाइन के टर्मिनल प्वाइंट से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए, मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा चैन्नई-बंगलौर-मंगलौर पाइपलाइन बिछाने के प्रायोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आग्रह की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 28 मई, 2011 को अथवा उससे पूर्व उपलब्ध करा दी गई थीं ;

और, पाइपलाइन बिछाने के संबंध में, जनता की ओर से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और अनुज्ञात कर दिया गया ;

और, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन भारत सरकार को अपनी रिपोर्ट दे दी है ;

और, भारत सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह संतुष्ट हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः, अब, भारत सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और, भारत सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से भारत सरकार में निहित होने के बजाए, सभी विल्लंगों में मुक्त, मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड में निहित होगा ।

अनुसूची

तालुका : देवनहल्ली		जिला : बंगलुरु रूरल		राज्य : कर्नाटक	
गाँव का नाम	सर्वे सं/सब डिविजन सं.	आर.ओ.-यू.अर्जित करने के लिए क्षेत्रफल			
		हेक्टेय	एयर	सि.एयर	
1	2	3	4	5	
1) हरलुरु नागेनहल्ली	5/5	00	06	53	
	5/4	00	06	95	
	5/3	00	06	51	
	5/2	00	10	89	
	5/1	00	05	09	
	4/2	00	07	34	
	4/1	00	26	97	
	सर्वे नं 4 और 71 के बीच में ख़स्ता	00	05	00	
	71/3	00	07	10	
	71/2	00	06	70	
	71/1	00	05	98	
	70/2	00	13	56	
	70/1	00	10	62	
	69/4	00	19	73	
	67/2	00	35	18	
	67/1	00	08	71	
	66	00	15	10	
	65/3	00	07	64	
	65/2	00	07	51	
	72	00	00	52	
	63	00	01	56	
	64	00	04	05	
2) गोनुर्	30/9	00	00	10	
	30/11	00	01	91	
	30/1	00	11	85	
	31/2	00	21	49	
	31/1	00	10	76	

1	2	3	4	5
3) गुरूगयान होसुरु	2	00	15	99
	3	00	54	93
	13	00	32	63
	12	00	15	75
	11/2	00	08	61
	11/1	00	07	77
तालुक : दोहवळापुर्		जिला : बंगलुरु रूरल		राज्य : कर्नाटक
1) गटिगानहल्ली	36/1	00	13	45
	37	00	27	55
	36/2	00	24	83
	34/2	00	44	46
	34/1	00	34	15
	33	00	32	17
	सर्वे नं 33 और 88 के बीच में रोड	00	05	43
	88	00	34	23
	87/1	00	10	14
	87/2	00	34	76
	80/1	00	44	37
	80/2	00	06	85
	80/3	00	08	47
	81/2	00	21	56
	79	00	11	28
	74/1	00	08	73
	74/2	00	48	08
	74/3 वी	00	00	12
2) हिरेनगुदहल्ली	20	00	01	03
	19	00	58	35
	21	00	00	67
	18	00	00	30
	23	00	33	07
	24	00	72	42

[फा सं. एल. 14014/64/2010-जी.पी.]

कै. कै. शर्मा, अवर सचिव

New Delhi, the 23rd September, 2011

का. आ. 2624.— Whereas by notification of Government of India in Ministry of Petroleum and Natural Gas, number S.O. 2455, dated. 30-09-2010, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), Government of India declared its intention to acquire the Right of User in the land, specified in the Schedule appended to that notification for the purpose of laying Chennai-Bangalore-Mangalore gas pipeline for transportation of natural gas from terminal point of Vijayawada-Nellore-Chennai pipeline near Tiruttani in TamilNadu by M/s Relogistics Infrastructure Limited to consumers in various parts of the country;

And whereas, the copies of the said Gazette notification were made available to the public on or before 28th May, 2011;

And whereas, the objections received from the public to the laying of the pipeline have been considered and disallowed by the Competent Authority;

And whereas, the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted report to the Government of India;

And whereas, Government of India, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the Right of User therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, Government of India hereby declares that the Right of User in the land, specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, Government of India hereby directs that the Right of User in the said land for laying the pipeline shall, instead of vesting in Government of India, vest on the date of publication of the declaration, in M/s Relogistics Infrastructure Limited, free from all encumbrances.

Schedule

Taluk: Devanahalli		District: Bangalore Rural		State: Karnataka	
Village	Survey No./Sub-Division	Area to be acquired for			
		Hec	Are	C-Are	
1	2	3	4	5	
1) Haraluru Nagenahalli	5/5	00	06	53	
	5/4	00	06	95	
	5/3	00	06	51	
	5/2	00	10	89	
	5/1	00	05	09	
	4/2	00	07	34	
	4/1	00	26	97	
	Cart track between Sy.No. 4 & 71	00	05	00	
	71/3	00	07	10	
	71/2	00	06	70	
	71/1	00	05	98	
	70/2	00	13	56	
	70/1	00	10	62	
	69/4	00	19	73	
	67/2	00	35	18	
	67/1	00	08	71	
	66	00	15	10	
	65/3	00	07	64	
	65/2	00	07	51	
	72	00	00	52	
	63	00	01	56	
	64	00	04	05	

1	2	3	4	5
2) Gonuru	30/9	00	00	10
	30/11	00	01	91
	30/1	00	11	85
	31/2	00	21	49
	31/1	00	10	76
3) Gururayana Hosuru	2	00	15	99
	3	00	54	93
	13	00	32	63
	12	00	15	75
	11/2	00	08	61
	11/1	00	07	77
Taluk : Doddballapur District : Bangalore Rural State : Karnataka				
1) Gantiganahalli	36/1	00	13	45
	37	00	27	55
	36/2	00	24	83
	34/2	00	44	46
	34/1	00	34	15
	33	00	32	17
	Road between Sy.No. 33 & 88	00	05	43
	88	00	34	23
	87/1	00	10	14
	87/2	00	34	76
	80/1	00	44	37
	80/2	00	06	85
	80/3	00	08	47
	81/2	00	21	56
	79	00	11	28
	74/1	00	08	73
	74/2	00	48	08
	74/3B	00	00	12
2) Hirenaguddadahalli	20	00	01	03
	19	00	58	35
	21	00	00	67
	18	00	00	30
	23	00	33	07
	24	00	72	42

श्रम और रोजगार मंत्रालय

नई दिल्ली, 25 अगस्त, 2011

का.आ. 2625.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार तुंगभद्रा ग्रामीण बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलौर के पंचाट (संदर्भ संख्या 41/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-8-2011 को प्राप्त हुआ था।

[सं एल-12012/10/2005-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 25th August, 2011

S.O. 2625.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 41/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Tungabhadra Gramin Bank and their workmen, which was received by the Central Government on 25-8-2011.

[No. L-12012/10/2005-IR (B-I)]
RAMESH SINGH, Desk Officer**ANNEXURE****BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
BANGALORE**

Dated : 9th August, 2011

PRESENT:

Shri S. N. Navalgund, Presiding Officer

C.R. No. 41/2005

I PARTY

Shri B. Narappa,
S/o. Devendrappa,
At post Halalu,
Hadagali Taluk,
Distt. Bellary,
Bellary,
Karnataka State

II PARTY

The Chairman
Tungabhadra Gramin Bank,
Head Office,
Gandhi Nagar,
Bellary
Karnataka state

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section (1) and sub-section 2A of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) has referred this dispute vide order

No. L-12012/10/2005-IR (B-I) dated 5th September, 2005 for adjudication on the following Schedule :

SCHEDULE

“Whether the action of the management of Tungabhadra Gramin Bank in imposing the penalty of dismissal from service w.e.f. 15-7-1987 on Shri B. Narappa is just, fair and legal? If not what relief he is entitle to and from which date?”

2. After receipt of the reference ON issue of notice to both the parties they entered their appearance through their respective advocates and the first party filed claim statement on 16-12-2005 and the second party filed counter Statement through its Chairman dated 9-11-2006.

3. The first party in his claim statement asserted that while he was working as Junior Clerk Staff No. 432 at Chandrabanda branch of the second party bank, to his surprise a charge sheet dated 17-7-1986 was served upon him on 23-7-1986 wherein it was alleged that “While he was working in RSSN Bennur as Junior Clerk an amount of Rs. 5,000 was given to him by one Shri Hanmanthappa on 15-11-1985 for credit of his SB account No. 166. He has not credited the amount to SB account No. 166 and it is alleged that he has misappropriated the amount; while he was working as Junior Clerk in RSSN Bennur, on 15-11-1985 made a credit entry in the share account No. 717 of Shri Hanumanthappa for Rs. 5,000 mentioning the cash receipt No. as 1601 and initialed, for having passed the entry. But there is no slip prepared for this entry and there is no record for cash receipt in shroff book. Thus it is alleged that he has passed this fictitious entry with mala fide intention to misappropriate the amount; While he was working as junior clerk at RSSN Bennur, issued receipt No. 1601 for Rs. 10,250 to Hanumanthappa and Mukkanna. Shuliganur. But the office copy of the receipt he altered the amount as Rs. 5,250 with a mala fide intention of misappropriating the amount; While he was working as Junior Clerk In RSSN, Bennur, he had issued a bill bearing No. 6530 for Rs. 240 dated 24-10-1985 to one Shri Gangappa. S/o. Vasappa for sale of fertilizers. But in the office copy of the fertilizer bill bearing No. 6529 (duplicate receipt is wrongly printed as 6529 instead of 6530). It is alleged that he had altered the figure from Rs. 240 to 3834. But from the cash book dated 24-10-1983 it is clear that the transaction is only for Rs. 240 and also made alterations in the debit vouchers dated 24-10-1985 and also altered the entries in the stock book; On 30-9-1985, when he was working as Junior Clerk at RSSN Bennur a fertilizer bill bearing No. 6349 for Rs. 400 has been issued to Shri Gondappagonda of Bennur village for supplying the pesticides. Subsequently he has altered the amount of the bill from Rs. 400 to Rs. 760 and also made alterations in cash book, loan ledger account of the party, stock book and other documents in order to cancel his manipulation of books and accounts of RSSN. Thus he has manipulated the

records of the RSSN with a mala fide intention to misappropriate the stock of RSSN and misappropriated the stock" giving him only 3 days period to give his statement of defence and his oral request for supply of detailed statement of imputation list of witnesses and documents and 15 days time to give his reply was refused, in a hurry he gave his reply to the charge sheet denying all the charges/allegations levelled against him and thereafter without any proper communication or proper service of notice of enquiry an enquiry was conducted behind his back in total violation of the principles of natural justice and that he came to know about such an enquiry for the first time only on receipt of his dismissal order dated 15-7-1987 and that even without giving him a second show cause notice supplying him a copy of the enquiry report the punishment of dismissal was imposed. It is further contended that the Raith Seva Sahakari Sangh, Bannur where he was working on deputation had also filed a criminal complaint against him pertaining to the same alleged misconduct mentioned in the charge sheet which was within the knowledge of the second party and on investigation of that complaint he was charge sheeted in CC No. 629/1991 before the JMFC Court at Gangavathi and after due trial by judgment dated 9-8-1999 he came to be acquitted on the ground that there was no cogent and material evidence to establish the charge levelled against him. It is further alleged immediately after service of dismissal order he had approached the second party and requested for his reinstatement and the second party give him an assurance that his request will be considered if he is acquitted by the criminal court, as such with fond hope of favourable judgment by the criminal court he waited for a long time and immediately after passing of the judgment of acquittal dated 9-8-1999 he submitted representation dated 27-9-1999 to the bank requesting for his reinstatement and as no action was taken he submitted several representations dated 8-11-1999, 9-10-2000 etc. repeatedly requesting to reinstate him and as no action was taken, left without any alternative he got issued a legal notice through his advocate which came to be served on the second party on 24-5-2004 and as no response was given to that notice also he raised the industrial dispute by filling a conciliation petition before the ALC(C) and the Conciliation Officer, Bellary on 9-7-2004 and due to the rigid stand taken by the management to reinstate him even after his acquittal by the JMFC Court that conciliation proceedings ended in failure as per the conciliation report of ALC(C), Bellary dated 22-12-2004, as a result the central government made this reference for adjudication.

4. Inter alia in the counter statement it was contended all fair and proper opportunity was given to the first party in the DE to defend him but he himself having not availed the opportunity by remaining absent in the enquiry, the enquiry officer after receiving the management evidence, left with no alternative submitted his enquiry finding

holding him guilty of all the five charges and since he did not respond even to the second show cause notice, having regard to the grave misconduct of misappropriation the impugned order of dismissal being passed there is no scope for this tribunal to intervene.

5. It is borne out from the records that my learned predecessor having regard to the pleadings of both the sides touching the fairness of the DE, raised a preliminary issue as to "Whether the Domestic Enquiry conducted against the first party by the second party is fair and proper" and after receiving the evidence adduced by the management through the enquiry officer examined as MW1 and marking documents at Ex. M1 to M13 tendered in his evidence and also the evidence of first party, by his detailed order dated 6-9-2007 held the DE conducted against the first party being not fair and proper. On 6-9-2007 my learned Predecessor while pronouncing the order on Preliminary Issue touching the domestic enquiry posted the matter to 6-11-2007 for hearing arguments on merits. On 6-11-2007 the learned advocate appearing for the second party filed an application supported by his memo of facts to permit the second party to lead evidence on merits in view of the finding on Preliminary Issue touching the DE and as the said application was seriously opposed by the counsel appearing for the first party by filing his objection dated 6-11-2007, my learned Predecessor after hearing the learned advocates appearing for both the sides by his detailed order dated 6-2-2008 upholding the objection raised by the counsel for the first party since the second party has not reserved its right in the counter statement seeking additional evidence nor made out circumstances warranting for leading fresh evidence rejected that application and posted the matter to address arguments on merits. The matter stood thus, the learned advocates appearing for the first party and the second party submitted their written arguments dated 19-4-2008 and 29-4-2008 respectively through post. In the meanwhile my learned Predecessor since retired and after I came to be posted in the last week of March 2010, when the matter came up for the first time at Hubli camp on 19-5-2010 since it was brought to my notice that Hon'ble High Court in Criminal Appeal No. 1176/99 by judgment dated 14-2-2006 had set aside the judgment of acquittal passed by the JMFC, Gangavathi dated 9-8-1999 in CC No. 629/1991 and remanded the matter to trial court for disposal in accordance with law by giving necessary opportunity to the prosecution to examine all its witnesses, the matter was adjourned from time to time awaiting the trial court judgment after the remand by the Hon'ble High Court. Then on 25-2-2011 the first party workman while producing the copy of judgment dated 9-12-2010 passed in CC No. 629/91 by JMFC, Gangavathi wherein he has been acquitted of the alleged offences requested to grant time for arguments and accordingly it was posted in the next Hubli camp i.e. on 28-4-2011 to hear arguments on merits and on that day counsel for second party filed a similar

written arguments which he had filed earlier and from that day it was posted to 29-4-2011 for reply of the first party counsel and on that day the first party filed reply arguments of his advocate and thus matter came to be posted for award.

6. In view of the undisturbed orders of my learned Predecessor touching the DE dated 6-9-2007 and order on application of the second party counsel rejecting permission to lead evidence on merits by order dated 6-2-2008, as urged on behalf of the first party whatever evidence brought on record by the management in the DE being washed away there is no material on record for appreciation of the charges levelled against the first party by this tribunal. In other words since the second party accepted the orders passed by my learned Predecessor on DE as well as rejection of permission to lead evidence on merits it is a case of 'no evidence' for the second party to establish the charges levelled against the first party. It is borne out from the order passed by my learned Predecessor touching the DE dated 6-9-2007 that the Enquiry Officer without service of enquiry notice on the CSE/first party preceeded to record the evidence of management by himself without there being any Presenting Officer and thereby acting as an Enquiry Officer as well as Presenting Officer, there being blatant violation of principles of natural justice he has held the domestic enquiry conducted against the first party by the second party being not fair and proper. Under the circumstances there is no material for the second party to justify the charges of misappropriation alleged against the first party. Moreover, even after remand at criminal case by the Hon'ble High Court to the Trial Court, again the Trial Court after affording all opportunity to the prosecution acquitted the first party from the alleged offence punishable under Sections 408 and 477(A) through considered judgment dated 9-12-2010, there is no material or any basis to uphold the impugned order of dismissal imposed against the first party by the second party. In view of these facts apparent on record the action of the management in imposing the penalty of dismissal against the first party w.e.f. 15-7-1987 cannot be sustained.

7. In view of the above discussion in my considered view the action of the management imposing penalty of dismissal of first party from service w.e.f. 15-7-1987 being not sustainable the first party is entitled for reinstatement with continuity of service.

8. Now coming to the claim of back wages by the first party it is pertinent to note from his own pleadings that inspite of service of dismissal order dated 15-7-1987 he did not immediately raised the dispute challenging the said dismissal order claiming that he did approach the management and he was given to an understanding that if he is acquitted he would be reinstated and accordingly he waited till the order of his acquittal dated 9-8-1999 passed by JMFC and submitted the representation dated 27-9-1999, 8-11-1999 and 9-10-2000 requesting to reinstate

him and as no response was shown he got issued legal notice dated 28-5-2004 and as there was no response to the legal notice also he raised the dispute before the Assistant Labour Commissioner (Central), Bellary on 9-7-2004. The first party who succeeded in opposing the second party request seeking permission to lead evidence on merits he also did not tender any evidence to substantiate these allegations made in his claim statment regarding delay in raising the dispute and unemployment. Immediately after service of the dismissal order he did approach the management and requested the management to reinstate and was assured that he will be reinstated if he is acquitted in the criminal court case being not supported by any evidence it cannot be accepted. Only delay in raising the dispute being no ground to reject the reference itself since no limitation is provided it would only be relevant in considering the claim of first party on back wages. The first party dismissed from service in the year 1987 having kept quite over a period of 17 years from 15-7-1987 to 9-7-2004, and failed to substantiate by leading any evidence there is no justification in asking/demanding back wages for this period.

9. It has been claimed by the first party in Para 13 of his claim statement that by virtue of regulation No. 29(4) of Tungabhadra Grameena Bank Staff Service Regulation, 1980 where an officer or employee has been dismissed and the relevant conviction is set aside by the Higher Court and the officer or employee is honourably acquitted he shall be reinstated into service, as such on his acquittal by JMFC Gangavati through judgment dated 9-8-1999 and it was brought to its notice through representation dated 8-11-1999 immediately he would have been reinstated into service. But that cannot be the purport of Regulation 29(4). Because in the instant case the dismissal of the first party is not on the basis of his conviction and it is based on the alleged DE and finding of the Enquiry Officer. Regulation 29(4) comes into play only where action of dismissal is based on the conviction of the workman as provided under Regulation 29(3). In other words where invoking Regulation 29(3) on the basis of conviction dismissal order is imposed and when such conviction is set aside by the higher court and is honourably acquitted invoking Regulation 29(4) he is required to be reinstated by the management.

10. Since he claims that he could not have raised the dispute before his acquittal by the criminal court through judgment dated 9-8-1999 the said order assailed by the prosecution before the Hon'ble High Court in criminal appeal No. 1176/99 came to be set aside by judgment dated 14-2-2006 and remanded to the trial court and the trial court after receiving all the evidence adduced by the prosecution again by judgment dated 9-12-2010 acquitted him, I am of the view that the first party is not justified in claiming back wages from the date of dismissal till the date of his reinstatement.

11. In the upshot of the above, the first party in my opinion is entitled for reinstatement with continuity of service but without any back wages. In the result I pass the following award :

AWARD

The reference is allowed holding the action of the management of Tungabhadra Gramin Bank, Bellary in imposing the penalty of dismissal from service w.e.f. 15-7-1987 on Shri B. Narappa is not just, fair and legal and that he is entitled for reinstatement with continuity of service without any back wages. The second party shall issue an order of reinstatement within 30 days from the date of gazette notification of the award, failing which it would be liable to pay the salary/wages from such date.

(Dictated to PA transcribed by her corrected and signed by me on 9-8-2011)

S. N. NAVALGUND, Presiding Officer

नई दिल्ली, 25 अगस्त, 2011

का.आ. 2626.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार दक्षिण पूर्व रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलौर के पंचाट (संदर्भ संख्या 150/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-8-2011 को प्राप्त हुआ था।

[सं. एल-41012/78/2007-आई आर (बी-1)]
रमेश सिंह, डेस्क अधिकारी

New Delhi, the 25th August, 2011

S.O. 2626.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 150/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Bangalore as shown in the Annexure, in the industrial dispute between the management of South Western Railway and their workmen, which was received by the Central Government on 25-8-2011.

[No. L-41012/78/2007-IR (B-I)]
RAMESH SINGH, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated : 8th August, 2011

PRESENT:

Shri S. N. Navalgund, Presiding Officer

C.R. No. 150/2007

I PARTY

Shri Shantgouda,
S/o Bapugouda Patil,
At & PO Jadramkunti,
Taq. & Distt. Bagalkot (KN),
BAGALKOT-587111.

II PARTY

The Divisional Railway
Manager,
South Western Railway,
Karnataka State,
HUBLI

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section (1) and sub-section 2A of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) has referred this dispute vide order No. L-41012/78/2007-IR (B-I) dated 30th October, 2007 for adjudication on the following Schedule :

SCHEDULE

“Whether the action of the management of South Western Railway, Hubli in imposing the punishment of removal from service in respect of Shri Shantgouda S/o. Babugouda Patil, is legal and justified? If not, to what relief the workman concerned is entitled?”

2. After receipt of the reference, pursuant to the notices issued by this tribunal both sides entered their appearance through their respective advocates, the first party filed his claim statement and the second party filed counter statement. Since it is stated in the Counter Statement, though before removal of the first party a Domestic Enquiry was initiated, due to lapse of long time it could not trace the enquiry records and that it intends to lead evidence on merits, no preliminary issue touching the DE was formulated and the second party was called upon to lead evidence on merits. Accordingly on behalf of the second party the affidavit of one Shri Mahesh Abbigeri, Assistant Personnel Officer, Hubli filed in lieu of his evidence and the original Service Register and Original Leave Chart pertaining to the first party got marked as Ex. M1 & M2 respectively. After cross-examination of MW1 the first party filed his affidavit in lieu of his evidence and by examining him on oath as WW1 got marked Ex. W1 to W12 the detailed description of which are narrated in annexure enclosed. When the matter was posted for arguments both sides filed their written arguments.

3. The first party in his claim statement filed on 19-11-2007 asserts that he was appointed by the Divisional Railway Manager, South Western Railway, Hubli (hereinafter referred as Second Party) on compassionate grounds by order No. H/P/269/X/CA/Genl. Dated 19-6-1986 as a Box Boy and pursuant to that order he reported for duty on 7-8-1986 as a Box Boy to Station Superintendent, Vascodagama and worked there for a period of 4 years and then he was transferred to Chief Yard Master/UBL and after serving for four years there he was transferred to Station Superintendent, Hospet and after serving for about

4 years he fell sick and the Station Superintendent, Hospet issued Sick Memo dated 8-1-1998 to the Medical Superintendent, Hospet and accordingly, when he visited the said doctor on 9-1-1998 he examined him and advised for 10 days rest and as he was not recovered from his ill health he went to District Surgeon, District Hospital, Bagalkot to get treatment and there he was advised rest and treatment for 16 weeks from 15-1-1998 as he was suffering from Infective Hepatitis and the treatment was continued and the doctor advised him complete rest from time to time and thereafter he took treatment in Primary Health Centre, Yalawar, Bijapur District in the year 2000 to 2003 the medical officer of which hospital advised him to take rest from 2000 to 2003 in respect of which he issued a medical certificate dated 11-11-2003 certifying that he was suffering from Epilepsy and absence from duty was very necessary for the abovesaid period for the restoration of his ill health and again he visited KIMS, Hubli on 11-11-2003 where he was advised for complete rest and a certificate was issued to the effect that he was fit to resume duty w.e.f. 17-10-2006. It is further asserted that he was surprised to note that though he was suffering from diseases and intimated about the same to the management by sending xerox copies of the medical certificates an order of imposition of penalty dated 9-3-1998 removing him from service came to be served without issuing any notice, charge sheet or conducting any enquiry and even without paying one month's notice pay as the provisions of Industrial Disputes Act, 1947 and also Railway Service Rules as such the act of his removal from service is liable to be set aside. He has also asserted that after his recovery from ill health on 12-9-2006 he submitted a mercy petition to the Pension Adalat requested to consider, his case but no response was received by him, therefore, he raised the dispute before the ALC, Hubli and as it failed the Central Government made this reference for adjudication.

4. In the Counter Statement filed for the second party through the SR. Divisional Personnel Officer, South Western Railway, Hubli on 9-4-2008 without disputing that the first party was appointed as Box Boy on compassionate ground on 7-9-1986 and was posted under Station Superintendent, Vasco-Da-Gama, it is contended that on his request he was transferred to Hubli where he joined on 3-4-1989 and thereafter on administrative grounds transferred to Hospet during the year 1991 wherein he was placed under sick list at Health Unit, Hospet as per the leave chart from 8-1-1998 to 15-1-1998, 26-1-1998 to 4-2-1998 and 5-2-1998 to 15-2-1998 and that he was discharged for non attendance at Health Unit, Hospet and that his further theory put forth that he was suffering from illness/epilepsy and was under treatment at different hospital at different time is a crafted story to mislead and cover up his intentional and deliberate absence from duty without any sanction from the competent authority. It is also contended that first party was a habitual absentee and on several occasions he was penalized for remaining

absent without sanction of leave by the competent authority and before he was removed from service for his unauthorized absenteeism he was twice punished by reducing pay scale once in 1991 and again in the year 1996 and inspite of it he had not improved and as without any reasonable cause and without any permission from the competent authority he remained absent for 214 days in the year 1997 after initiating DE and on receipt of the enquiry findings he was removed vide order dated 9-3-1998 H/P227/III/96/1361. It is further contended that the second party had absolutely no reasons for unnecessarily punishing or victimizing the first party and that he did not avail the opportunity given to him to defend him in the enquiry and remained ex-parte and though the order of removal was served on him in the year 1998 itself he did not care to make any appeal to the higher authority or bother to file or challenge the same before the next higher authority (Revision Authority) within the prescribed period of 45 days as laid down in the Railway Service (D&A) Rules, 1968 and on the other hand after lapse of 9 long years he raised this frivolous dispute putting forward a story of illness and treatment by various doctors. It is also contended as stated in the claim statement the first party never applied for leave producing the medical record at any point of time and he who deliberately and intentionally remained absent for a long period, with ulterior motive raised such a frivolous dispute and it is liable to be dismissed.

5. As adverted to by me above when the matter came to be posted for evidence on behalf of the second party the affidavit of Shri Mahesh Abigeri, Assistant Personnel Officer, Hubli came to be filed wherein he has reiterated the contention of the counter statement and by examining him on oath as MW1 got marked original service register and leave chart pertaining to the first party as Ex. M1 & M2 respectively. Inter alia the first party testified himself by filing his affidavit wherein he has also sworn to the assertion made in the claim statement and by examining him on oath as WW1 got marked original out patient ticket dated 8-1-1998; Sick Memo issued by Station Superintendent, Hospet dated 8-1-1998; Medical certificate issued by the District Surgeon, Bagalkot dated 15-1-1998; letter issued by Dr. C. K. Patil to Superintendent Eaycatrick Hospital, Dharwar dated 12-1-2001; Certificate issued by Medical Officer, Alnawar dated 11-11-2003; Medical certificate issued by the Medical Officer, KIMS, Hubli dated 11-11-2003; Fitness certificate issued by Senior Medical Officer, KIMS Hubli dated 16-10-2006; Out patient chit of KIMS, Hubli dated 16-10-2006; copies of order of imposition of Penalty; application submitted by him to the Pension Adalat dated 12-9-2006; Petition filed by him under Section 12 of the ID Act to ALC(C), Bellary dated 17-10-2006 and conciliation failure report submitted by ALC(C), Bellary dated 8-5-2007 as Ex. W1 to W12 respectively.

6. In view of the facts narrated by me above, the points that arise for my consideration are—

(i) Whether the Second party proved the first party having remained unauthorized absent for a period of 214 days in the year 1997 and failed to participate in the DE and thereby he was removed by order dated 19-3-1998?

(ii) What Order?

7. On appreciation of the pleadings oral and documentary evidence placed on record by both the sides in the light of the written arguments submitted for both sides my findings on the point No. (i) is in the affirmative and point No. (ii) as per the final order for the following reasons :

REASONS

Though the second party could not produce the enquiry records on the ground that due to raising of the dispute after a long lapse of time they are untraceable, its contention that enquiry was initiated and after receiving the enquiry findings the first party was removed from service by passing impugned order by the competent authority is explicit from the copy of the order produced by the first party himself at Ex. W9 which reads as under :

“Shri S. B. Patil, Box Boy/HPT under SS.HPT is informed that an Enquiry Officer appointed to inquire into the charges against him has submitted his report. A copy of the report of the Inquiry Officer has already been sent and acknowledged by him.

On a careful consideration of the report aforesaid, the undersigned agrees with the findings of the Inquiry Officer and holds that the Article of the charge communicated in Memorandum of even No. dated 19-12-1996 is proved. The undersigned has, therefore, decided as under :

“The IO has proved the charges that the DE remained absent from duty from 27-5-1995 to 15-2-1996 though the DE has not attended the enquiry. The DE has failed to make any representation though sufficient time is given. It is presumed that he has nothing to say and an Ex-parte decision has been taken. Remaining absent not only upsets the working it involves hefty payment of OTA to others besides forcing them to work extra hours. He has further remained absent for a period of 147 days in the year 1997 also. It is seen that there is no scope of improvement. Hence I impose the penalty of removal from service.”

Shri S. B. Patil, Box Boy/HPT is not a fit person to be retained in service and so the undersigned imposes on him the penalty of removal from service w.e.f. 9-3-1998.

Shri S. B. Patil, Box Boy/HPT is hereby advised to hand over to SS/HPT all Railway Property if any in his possession and to vacate the railway quarters if under occupation within a period of one month from the date of his removal from service failing which he will be dealt with under the Rules for unauthorized and wrongful occupation of the quarters.

Shri S. B. Patil Box Boy/HPT is hereby advised that under Rules 18 & 19 of the Railway Service (D&A) Rules, 1968, he may prefer an appeal against these orders to DOM/USL provided that :

- (a) The appeal is preferred within a period of 45 days from the date of which a copy of this order is delivered to him;
- (b) The appeal is preferred in his own name and presented to the authority to whom the appeal lies and does not contain any disrespectful or improper language; and
- (c) That appeal is addressed through the authorities against whose orders the appeal lies and is submitted through official channel.”

In the cross-examination the first party has categorically admitted that he came to know about imposing the penalty of his removal in the year 1998 itself though he claims that after coming to know of this order he had given representation to the Assistant Operating Manager no evidence has been placed on record to substantiate this aspect. He has also failed to produce any material having applied for sanction of any kind of leave by producing medical certificate to the competent authority for the relevant period covered by charge. There is no dispute that he remained absent for the period in question for which he was subjected to DE. It is explicit from the order of imposition of penalty that first party failed to appear before the Enquiry Officer and the Enquiry Officer was to complete the enquiry ex-parte and submit his finding holding the first party guilty of the charge. Though MW1 has no personal knowledge regarding first party's absenteeism covering order of imposition of penalty produced at Ex. W9. It was for the first party to demonstrate/establish that for the relevant period he had applied for sanction of leave with necessary medical certificate. Though the first party has categorically admitted in his cross examination that he came to know about his removal in the year 1998 itself, he did not bother to give any representation for a long period of about 8 years after his removal from service for unauthorized absence and for the first time he gave mercy petition to the Pension Adalat by letter dated 12-9-2006 copy of which he has produced at Ex. W10. Though there is no limitation for raising the dispute by removed employee this long delay suggests that he had abandoned his job may be due to ill health or having no intention to continue in service. Though he has produced several medical certificates, having failed to examine any of the doctors

issuing such certificates and got produced documents having taken treatment from them, it is not possible to rely on such hard/bare certificates to believe his version that all the while he was sick and was even unable to report this to the concerned official. Even assuming that he was sick during the period covered under the certificate produced by him his failure to apply for sanction of leave with the medical certificate for the period covered by charge and raising dispute after a long gap of 8 years from the date of his removal suggests that he has raised the dispute just to get some monetary benefits abandoning the job by himself. Under the circumstances I arrived at the conclusion of answering the Point No. (i) in the affirmative and that the action of the management of South Western Railways, Hubli in imposing the punishment of removal from service in respect of Shri Shantagouda is legal and justified and accordingly, I pass the following Award :

AWARD

The reference is rejected holding that the action of the management is legal and justified.

(Dictated to PA transcribed by her corrected and signed by me on 8th August, 2011).

S. N. NAVALGUND, Presiding Officer

ANNEXURE

List of witnesses for the Management/Second party

1. Shri Mahesh Abbigeri, Assistant Personnel Officer, Hubli MW1

List of documents marked for the Second party/management

1. Original Service Register of first party Ex M1
2. Original Leave Chart Ex M2

List of witness for the First Party

1. Shri Shantagouda, first party WW1

List of documents marked for the First Party

1. Admission Medical Certificate (Out patient Ticket) dated 8-1-1998 Ex W1
2. Sick Memo dated 8-1-1998 issued by the Station Superintendent, Hospet. Ex W2
3. Medical certificate issued by Dr. C. K. Patil, District Surgeon, Bagalkot dated 15-1-1998. Ex W3
4. Letter issued by Dr. C. K. Patil to the Superintendent, Psychiatric Hospital, Dharwad dated 12-1-2001. Ex W4
5. Medical certificate issued by Medical Officer, Yalawar dated 11-11-2003. Ex W5

6. Medical Certificate issued by Sr. Medical Officer, KIMS, Hubli Ex W6
7. Certificate of fitness issued by Sr. Medical Officer, KIMS, Hubli dated 16-10-2006. Ex W7
8. Out patient Chit, KIMS, Hubli dated 16-10-2006 Ex W8
9. Order of Imposition of penalty dated 9-3-1998 issued by the disciplinary authority. Ex W9
10. Application submitted by the first party dated 12-9-2006 to Pension Adalat. Ex W10
11. Petition filed u/s. 12 of ID Act before the ALC (Central), Bellary dated 17-10-2006. Ex W11
12. Report on failure of conciliation submitted by ALC (Central) dated 8-5-2007. Ex W12

नई दिल्ली, 25 अगस्त, 2011

का.आ. 2627.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूची में केन्द्रीय सरकार कर्मचारी राज्य बीमा निगम हुबली के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, अहमदाबाद के पंचाट (संदर्भ संख्या 18/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-8-2011 को प्राप्त हुआ था।

[सं. एल-15012/3/2010-आई आर (एम)]
जोहन तोपनो, अवर सचिव

New Delhi, the 25th August, 2011

S.O. 2627.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 18/2011) of the Central Government Industrial Tribunal-cum-Labour Court, Bangalore now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Employees State Insurance Corporation, Hubli and their workman, which was received by the Central Government on 25-8-2011.

[No. L-15012/3/2010-IR (M)]
JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated : 29th June, 2011

PRESENT:

Shri S. N. Navalgund, Presiding Officer

C.R. No. 18/2011

नई दिल्ली, 26 अगस्त, 2011

I PARTY

Shri Narayan N. Pujar,
Madar Mddi. Jai Bhema-
nagar, HDMC Quarters,
5th Cross,
Dharwad-580 001

II PARTY

The Joint Director,
Employee State Insurance
Coropration, Sub Regional
Office, Dollars Height,
Dollars Colony, Adjacent to
New Bus Stand,
Gokul Road,
Hubli

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) has referred this dispute vide order No. L-15012/3/2010-IR (M) dated 13th May, 2011 for adjudication on the following Schedule :

SCHEDULE

- (1) Whether the service of Shri Narayan Pujar was illegally terminated or not ?
- (2) Whether the services of Shri Narayan Pujar is to be regularized in the ESIC, Sub-Regional Office, Hubli. To what relief the workman is entitled ?"

2. After receipt of the reference when the notices were issued to both sides to appear to proceed with the matter, today the first party appeared along with Shri Anand A, Advocate who filed his vakalat and memo of withdrawal under the signature of first party. Shri B.S. Badrinath, Superintendent for Second Party appeared and filed letter of authorization issued in his favour by the Dy. Director (Estt.) by name Shri R. Raju.

3. Since it is submitted in the memo of withdrawal that after this reference second party considering his grievance sympathetically by order No. A/33/11/1/2007-Estt.-II dated 12-1-2011 by the Head Quarters Office, New Delhi regularized his services and has issued with an appointment order bearing No. 100/2011 dated 17-3-2011 through the Additional Commissioner & Regional Director, ESI Corporation, Regional Office and that he has reported for duty on 28-2-2011 for the post of MTS, his grievance having been redressed, the reference is liable for rejection dispute being resolved by the second party outside the Tribunal. Hence the following Award :

AWARD

The reference is rejected, the dispute raised by the first party being redressed by the Second Party and has taken him to the post of MTS by order dated 12-1-2011.

(Dictated to PA transcribed by her corrected and signed by me on 29-6-2011),

S. N. NAVALGUND, Presiding Officer.

का.आ. 2628.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ईस्ट कोस्ट रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भुवनेश्वर के पंचाट (संदर्भ संख्या 10/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-8-2011 को प्राप्त हुआ था।

[सं. एल-41011/14/2005-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 26th August, 2011

S.O. 2628.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 10/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneshwar, now as shown in the Annexure, in the industrial dispute between the management of East Coast Railway, Waltair Division, and their workmen, which was received by the Central Government on 26-8-2011.

[No. L-41011/14/2005-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
BHUBANESHWAR**

PRESENT:

Shri J. Srivastava,
Presiding Officer, C.G.I.T.-cum-Labour Court,
Bhubaneshwar

Industrial Dispute Case No. 10/2007

Date of Passing Award—3rd August, 2011

BETWEEN:

The Management of the Senior Divisional
Commercial Manager, East Coast Railways,
Waltair Division, Visakhapatnam (A.P.),
Vishakapatnam (A.P.)

... 1st Party-Management

AND

Their workmen represented through the
President, S.E. Railway Station Porters' Union,
Mani Bhava, Bhawanipur, Kharagpur-721 301,
Kharagpur

... 2nd Party-Union

APPEARANCES:

M/s. Ajaya Kr. Mohanty, : ... For the 1st Party-
Advocate Management

None : ... For the 2nd Party-
Union

AWARD

The Government of India in the Ministry of Labour has referred the following industrial dispute existing between the employers in relation to the management of East Coast Railway, Waltair Division and their workmen to this Tribunal for adjudication vide their letter No. L41011/14/2005-IR (B-I), dated 14-3-2007 :

“Whether the action of the management of Senior Divisional Commercial Manager, East Coast Railway, Waltair in not issuing porter licence, to Sri Gouranga Tandi, Sri Trinath Tandi, Sri Hemraj, Sri Lal Sai Tandi, Sri S. Kumar, Sri Narpu Tandi, Sri Lakhidhar and Sri K. Balaram even after rendering service more than 26 years of continuous services since 1978 and not paying their wages w.e.f. 1989 to till date is legal and justified ? If not, what relief the workmen are entitled to ?”

2. The case of the disputant workmen as reflected in the statement of claim filed by the 2nd Party-Union is that they were working as Brake-van porter for parcel handling work at Singapore Road Railway Station at Rayagada District from 1-5-1987. One of the disputant workman Sri Gouranga Tandi has died in the meantime and his wife is doing the same type of job. They have not been able till now to get their proper remuneration from the D.R.M., Waltair Division nor could get their porter licence renewed. They were continuously raising their voices through proper channel to settle the issue, but no action was taken. Later they were directed through office order dated 13-9-1995 to appear before the Senior Divisional Medical Officer, Railway (Rayagada) for medical examination for the purpose of renewal of their licenses. All of them appeared before him and executed bond and verification report after examination by the Senior Medical Officer but nothing was done for renewal of their licenses. They have prayed for issuing a direction to the 1st Party-Management to recognize them as licensee Break-van parcel handling porters with effect from 1987 and to pay their wages and other legal dues from the same date.

4. The 1st party-Management in its written statement has denied the allegations that the disputant workmen had been working at Singapore Road Railway Station for parcel handling work from 1-5-1987 and wages to them were paid up to 1989 and after that their wages are to be paid. It has been categorically stated that the disputants were not working at Singapore Road Railway Station of East Coast Railway and were not engaged for Break-van duties for handling railway parcels. Hence the question of payment of wages to them does not arise. Issuing licenses to carry passengers' luggage and to engage licensed porters in parcel handling work are two independent activities. Licenses are issued mainly for the purpose of carrying passengers' luggage for which the licensed porters are not entitled to claim any wages, but only portarage charges are

to be paid as fixed by the Railway Administration from time to time by the passengers. The licensed porters are eligible to receive wages when their services are utilized by Railway Administration in parcel handling work. There is no compulsion on the part of the Railway Administration to issue licence and to engage them on parcel handling work. The loading and unloading into Break-van/Parcel van i.e. parcel handling work of the Singapore Road Railway Station is being handled by departmental commercial porters and also the merchants are utilizing private labourers to carry their parcels in and out of the station premises. The medical examination of the eight licensed porters does not confer any right on them for granting licence for carrying passengers' luggage. The licensed porters had admitted in Annexure A to D of their Statement of Claim that their services were terminated in the year 1989. As such they are not entitled to any wages on the principle of “Dies-Non”. The issues raised in this reference are not covered under the term “industrial dispute” as defined under Section 2-K of the Industrial Disputes Act, 1947. The issue of grant of licence or its revocation does fall within the jurisdiction of the Civil Court as the said issue is of civil nature and the disputes relate to personal and proprietary rights of the parties. There is also no employee-employer relationship between the licensed porters and the Railway Administration. The relationship that exists is of “licensee and licensor”. The Railway Board has issued guidelines and directions to disengage the licensed porters from parcel handling work of Break-van duties. Therefore the claim of the disputant workmen is liable to be dismissed.

5. Following issues were framed on the pleadings of the parties.

ISSUES

- (1) “Whether the action of the Management of Senior Divisional Commercial Manager, East Coast Railway, Waltair in not issuing porter license to Sri Gouranga Tandi, Sri Trinath Tandi, Sri Hemraj, Sri Lal Sai Tandi, Sri S. Kumar, Sri Narpu Tandi, Sri Lakhidhar & Sri K. Balaram even after rendering service more than 26 years of continuous service since 1978 and not paying their wages w.e.f. 1989 to till date is legal and justified ?”
- (2) If not, what relief the workmen are entitled to ?

6. The 2nd Party-Union espousing the cause of the disputant workmen has failed to produce any evidence in support of its claim, rather it remained absent on most of the dates fixed in the case despite sending notice to it through ordinary as well as registered post.

7. The 1st Party-Management has filed affidavit evidence of one Shri G. Prakash Rao which goes un-rebutted because of absence of the 2nd Party-Union.

FINDINGS**Issue No. 1 :**

8. The burden to prove its case primarily lies on the 2nd Party-Union which has espoused the cause of the disputant workmen, but no evidence in support of its claim has been led either by disputants or by the 2nd Party-Union espousing their cause. The documents filed by the 2nd Party-Union as part of its statement of claim cannot be read in evidence as they were neither admitted by the 1st Party-Management nor proved by the person filing them. As such there is no evidence in support of the claim of the disputants. The pleadings itself shows that the disputants were licensed porters and after revocation of their licenses they ceased to be licensed porters. They cannot be held to hold relationship of employee and employer with the 1st Party-Management. There is no evidence that they were ever engaged by the 1st Party-Management on Break-van duties for parcel handling work at Singapore Road Railway Station and they carried out that work any time within the year 1989 till date. There is also no evidence on record to show that they were holding porters licenses since 1978 for doing the work of porting luggage of passengers' at Singapore Road Railway Station of Waltair Division.

9. On the other hand, the evidence of the Management witness Shri G Prakash Rao shows that as per Railway Board guidelines licenses to the porters are issued for handling of the passengers' luggage by the order of the Senior Divisional Commercial Manager on payment of security and prescribed fees. The Singapore Road Railway Station is a small station. As far as booking of the tickets are concerned there is no demand of the passengers for handling of their luggage and there is no huge quantity of parcel handling work in that station. Therefore there was no need for issuing licenses to the porters due to less quantity of parcel handling works. The departmental commercial porters of the Railway Administration are engaged by the office and the merchants used to engage their own labourers for the purpose of handling their goods in loading to the parcel van and unloading from the parcel van of the train in that station. It is not a fact that the eight numbers of licensed porters were working in Singapore Road Railway Station. It is false to allege that wages for eight numbers of licensed porters were paid by the Railway Administration till the year 1989.

10. In view of the evidence led by the 1st Party-Management and the disputants having no evidence to prove their case, the claim of the disputants has no basis and is liable to be disallowed. Issue No. 1 is thus decided against the 2nd Party-Union and in favour of the 1st Party-Management.

Issue No. 2 :

11. Since the 2nd Party-Union has failed to make out any case for award in its favour, the action of the Management in not issuing porters license to the disputants and in not paying their alleged wages with effect from 1989

till date cannot be held to be illegal and unjustified and therefore the disputant workmen are not entitled to any relief they claim.

12. The reference is answered accordingly.

J. SRIVASTAVA, Presiding Officer

नई दिल्ली, 26 अगस्त, 2011

का.आ. 2629.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, मुम्बई के पंचाट (संदर्भ संख्या 09 ऑफ 2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-8-2011 को प्राप्त हुआ था।

[सं. एल-41011/58/2010-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 26th August, 2011

S.O. 2629.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 09 of 2011) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Mumbai as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 26-8-2011.

[No. L-41011/58/2010-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT MUMBAI****PRESENT:**

Justice G.S. Sarraf, Presiding Officer

Reference No. CGIT-09 of 2011

Employers in relation to the management of Western Railway

AND

Their workmen

APPEARANCES:

For the Management : Mrs. Pooja Kulkarni, Adv.

For the Workmen : No appearance

Mumbai, the 26th July, 2011

AWARD

1. This is a reference made by the Central Government in exercise of its powers under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial

Disputes Act, 1947 vide Government of India, Ministry of Labour, New Delhi Order No. L-41011/58/2010-IR (B-1) dated 4-5-2011. The terms of reference given in the schedule are as follows :

SCHEDULE

“Whether the enhancement of working hours of PRS Staff from the then 06 (six) hours (8.00 A.M. to 2.00 P.M. with rest) to 07 (Seven) hours (8.00 A.M. to 3.00 P.M. without rest), made by the Management of Western Railway, Mumbai as per their order dated 31-7-2008 at Passengers Railway System Counters, is legal and justified ? To what relief the Union/ Workmen are entitled ?”

2. Mrs. Pooja Kulkarni, Advocate for the Management is present. Nobody is present on behalf of the Paschim Railway Karamchari Parishad inspite of service of notice. No statement of claim has been filed on behalf of the Parishad.

2. In view of the above, the reference stands disposed of for want of prosecution.

4. An Award is made accordingly.

Justice G S. SARAF, Presiding Officer

नई दिल्ली, 26 अगस्त, 2011

का.आ. 2630.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद के पंचाट (संदर्भ संख्या 88/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-8-2011 को प्राप्त हुआ था।

[सं. एल-12011/43/2003-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 26th August, 2011

S.O. 2630.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 88/2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Dhanbad, now as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workmen, which was received by the Central Government on 26-8-2011.

[No. L-12011/43/2003-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 1, DHANBAD

In the matter of a reference U/s. 10(1)(d)(2A) of I.D. Act.

Reference No. 88 of 2006

PARTIES :

Employers in relation to the management of State Bank of India, Patna

AND

Their workmen

PRESENT :

Shri H.M. Singh, Presiding Officer

APPEARANCES :

For the Employers : Shri S. K. Upadhayay,
Authorised Representative

For the Workman : Shri G K. Verma, Gen. Secretary,
State Bank of India Employee
Union (Bihar State)

State : Bihar

Industry : Bank

(Dated the 10th August, 2011)

AWARD

By Order No. L-12011/43/2003-IR (B-I) dated 4-9-2006 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-sec. (2A) of Section 10 of the I.D. Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of management of the State Bank of India, Patna in deciding to confirm Shri Lalan Ram and Shri Sheo Bachan Prasad as messenger-cum-Water Boy from 28-2-2002 and instead of 12-12-91 has lead to deprivation of benefits of seniority as well as membership of contributory provident fund and other pensionary benefits, correct and legal ? If not, to what relief the workman is entitled ?”

2. The case of the concerned workmen is that they were appointed in the service of the State Bank of India at Patna Secretariat Branch on 6-6-1983 and 5-4-1984 respectively in subordinate (Class-IV) cadre. The management paid them meagre daily wages and that too through name-lender contractor set up by the management. An industrial dispute was raised by the Union for their regularisation on the basis of their whole time work in the Bank with retrospective effect. The dispute also related to other three workmen of State Bank of India, Patna Secretariat Branch, similarly placed. The Hon'ble C.G.I.T. No. 1, Dhanbad passed an award in Reference No. 149 of 1991 holding that the demand of the concerned union for regularisation of the concerned persons is justified and they are entitled for absorption in the permanent employment of the Bank as Class-IV employee as Messenger-cum-Water Boy with effect from the date of reference but without difference of back wages. However, their services shall be reckoned from the date of reference

i.e. 12-12-1991 for the purpose of seniority and increment. The award was implemented by the management. During the period after 12-12-1991, the concerned workmen were performing whole time work without any break. They were, however, paid daily rated wages on monthly basis. The management paid Rs. 4,350 p.m. as Basic Pay to the concerned workmen w.e.f. 21-4-2001 which gradually increased and their present basic pay is Rs. 6,750. The management in pursuance of their anti-labour attitude issued letters to the concerned on 26-9-2002 informing them that they stood confirmed in their services w.e.f. 28-2-2002. The management's decision of confirmation of the concerned workmen's services w.e.f. 28-2-2002 instead of the date of their absorption in the permanent employment on 12-12-1991 as per the aforesaid award is wholly arbitrary, mala fide and unjustified, is aimed at depriving the concerned workmen of more than 10 years credit for provident fund payment, calculation of pension amount after their superannuation and also calculation for the period of service for payment of gratuity.

It has been prayed that the Hon'ble Tribunal be pleased to pass an award in favour of the concerned workmen holding that the concerned workmen are entitled to the relief of benefits of seniority as well as membership of contributory provident fund and other pensionary benefits since 12-12-1991.

3. The case of the management is that the award dated 2-3-2001 passed by the Hon'ble Tribunal in Reference No. 149 of 1991 it is crystal clear that after considering all the aspects the Hon'ble Tribunal reached to the conclusion that the concerned workmen are not entitled to back wages, that is pay/emoluments for reasonable cause, therefore the concerned workmen are not entitled to be member of contributory provident fund from 12-12-91 because amount of employee's contribution deducted from the pay/salary of the concerned employees thus what has been not allowed by the Tribunal cannot be enforced by the management. It is settled law of the land that seniority is counted from the date of initial appointment and not from the date of confirmation hence seniority of the concerned employee's have been recorded from the date of reference consequently no question of deprivation of pensionary benefit to the concerned employees arise as period for qualifying pensionary benefit is counted from the date of initial appointment. It has been submitted that in the case of Union of India Vs. Vidya Sagar Mishra reported in 1975 SLJ (SC) 13 the Hon'ble Supreme Court has held that "Government servants after their confirmation become entitled to right to their post and to draw their emoluments according to existing pay scale". Accordingly, the concerned workmen have been provided their right to post by the management hence no illegality has been committed by the management by confirming the concerned workmen after date of award dated 2-3-01 as the concerned workmen only entitled for pay/salary from the date of award as per

pronouncement of this Hon'ble Tribunal.

It has been prayed that the Hon'ble Tribunal be pleased to pass an award by dismissing the reference case.

4. Both the parties have filed their respective rejoinders admitting or denying the contents of some of the paragraphs of each other's written statement.

5. The concerned workmen have produced WW-1, Paresh Sekhar Pal, WW-2, Seobachan Prasad and WW-3, Lalan Ram and proved documents as Exts. W-1 to W-12.

The management has not produced any oral evidence but the documents have been marked as Exts. M-1 to M-4.

6. Main argument advanced on behalf of the concerned workmen is that as per award passed by this Tribunal in Reference No. 149/91 dated 2-3-2001 in which it has been ordered that the concerned workmen be regularised as permanent employee as Messenger-cum-Water Boy w.e.f. 12-12-91 without any back wages, however, their services shall be reckoned from the date of reference i.e. 12-12-91 for the purpose of seniority and increment.

In this respect the main argument advanced on behalf of the management that the demand of the concerned workmen is that they should be given membership contributory provident fund from 12-12-1991. This fact is that the concerned workmen were not on the roll of the Bank because they were regularised on the basis of the award. Their confirmation order was passed on 28-2-02. After that they become member of contributory provident fund because the amount which is paid by the workmen equal to the amount to be paid to the concerned employee by Bank, so they cannot become member contributory provident fund from 12-12-91. Moreover, salary should be given regarding pension before 12-12-91 though they have been appointment in compliance the award passed in Reference No. 147 of 1991 dated 2-3-2001. As per Ext. W-5 the management by letter dated 31-8-2001 complied with the award dated 2-3-2001 passed in Reference No. 149/91. So, when they are not members of Contributory Provident Fund from 12-12-91 they cannot be given membership from 12-12-91 and as per Provident Fund Rules confirmed employee will become member of provident fund and the concerned workmen had been confirmed as per Ext. W-6 w.e.f. 28-2-2002.

Regarding seniority they will be given for the purpose of promotion and pensionary benefits from 12-12-91 as per award of the Tribunal passed in Reference No. 149/91.

In this respect the evidence of the concerned workmen is very much material. WW-2, Sheo Bachan Prasad, has stated in cross-examination at page 2 that there is no salary sheet given by the Bank w.e.f. 12-12-91 till the

date of permanent absorption till 31-8-2001. Prior to 18-10-2002 neither pension form nor P.F. statement ever was provided by the Bank. The salary sheet w.e.f. 12-12-91 was never provided by the Bank which shows the salary is Rs. 815 per month. The salary of Rs. 3520 p.m. was given by the Bank only after 31-8-2001. The P.F. Form, Ext. W-8 series was never provided to me prior to 18-10-2002.

WW-3, Lalan Ram, another witness stated in his cross-examination that I have not received papers from the Bank giving me annual increment since 12-12-91. I have got back from the award by this Tribunal. But this will mean that he will become automatically member of contributory provident fund from 12-12-91 when he was not on the roll of the Bank. As per award the concerned workmen will become members of contributory provident fund only after confirmation in the service of the Bank and they had been confirmed by the Bank as per Ext. W-6 w.e.f. 28-2-2002.

So, they are entitled only to contributory provident fund from 28-2-2002 and not before that and also given pensionary benefits only after confirmation though for the purpose of calculation of service, number of years will be calculated for total number of years from 12-12-91, to give pensionary benefit and also seniority will be reckoned from 12-12-91 for the purpose of seniority and increment.

7. Considering the above facts and circumstances, I hold that the action of the management of State Bank of India, Patna, in deciding to confirm Shri Lalan Ram and Shri Sheo Bachan Prasad as Messenger-cum-Water Boy from 28-2-2002 instead of 12-12-1991 is legal and justified. So, the concerned workmen are not entitled to any relief.

This is my Award.

H. M. SINGH, Presiding Officer

नई दिल्ली, 26 अगस्त, 2011

का.आ. 2631.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल., के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण नं. 2, धनबाद, के पंचाट (संदर्भ संख्या 128/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-08-2011 को प्राप्त हुआ था।

[सं. एल-20012/146/2000-आई आर (सी-1)]

डी.एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 26th August, 2011

S.O. 2631.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 128/2000) of the Central Government Industrial Tribunal-cum-Labour Court-2, Dhanbad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. BCCL, and their workman, which was received by the Central Government on 26-8-2011.

[No. L-20012/146/2000-IR (C-I)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT : Shri Kishori Ram, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)
(d) of the I.D. Act, 1947

Reference No. 128 of 2000

PARTIES :

Employers in relation to the management of M/s.
BCCL and their workman.

APPEARANCES :

On behalf of the : Mr. N.G. Arun,
workman Organising Secretary

On behalf of the : Mr. D.K. Verma, Advocate
employers

State : Jharkhand

Industry : Coal

Dated, the 3rd August, 2011

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them, under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/146/2000 (C-1), dated, the 27th September, 2000.

SCHEDULE

“Whether the action of the management in not sending Shri Babu Lal Yadav to the Apex Medical Board for assessment of his age is justified? If not, to what relief is the workman entitled?”

2. Mr. N.G. Arun, the representative of the concerned workman is present. But no witness for workman has been produced. Mr. D.K. Verma, the Ld. Advocate for the management is present. The aforesaid representative of the workman submits that, despite his best efforts, the concerned workman did not approach him for the case. So he appears to be disinterested in pursuing the case.

3. From the perusal of the case record I find the present reference case relates to not sending Shri Babulal Yadav by the Management to the Apex Medical Board for assessment of his age. The case has been pending for the evidence of the workman since 28-2-2006, for which despite the notices dt. 29-4-2008 and registered notice dt. 20-10-2010 to the Union, no witness for the evidence on behalf of the workman could be present so far. This is the case of the year 2000. From the conduct of the workman as submitted by his aforesaid representative, it appears that the workman himself seems to be disinterested for the reason best known to him. Under these circumstances, proceeding with the case for infinity is useless and wastage of time. Hence the case closed and order is passed accordingly.

KISHORI RAM, Presiding Officer

नई दिल्ली, 26 अगस्त, 2011

का.आ. 2632.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार इण्डियन एयर लाईन्स लिमिटेड (अब एनएसीआईएल), के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, मुम्बई नं. 2, के पंचाट (संदर्भ संख्या 2/29/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-08-2011 को प्राप्त हुआ था।

[सं. एल-11012/62/2003-आई आर (सी-1)]

डी.एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 26th August, 2011

S.O. 2632.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 2/29/2004) of the Central Government Industrial Tribunal-cum-Labour Court-2, Mumbai, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s. Indian Air Lines Limited (Now NACIL), and their workman, which was received by the Central Government on 26-8-2011.

[No. L-11012/62/2003-IR (C-I)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2), MUMBAI

PRESENT : K.B. Katake, Presiding Officer

Reference No. CGIT-2/29 of 2004

Employers in Relation to the Management
of Indian Airlines Limited
(Now National Aviation Company of India Ltd.)

The Managing Director,
Indian Airlines Ltd.
(Now National Aviation Co. of India Ltd.)
Western Region
New Engineering Complex, Sahar,
Vile Parle (East),
Mumbai-400 099.

AND

Their Workman
Smt. R. Balaganga,
701/5-B, Green Maidas,
Lokhandwala Township Akurli Road,
Kandivli (East), Mumbai-400 101

Appearances :

For the employer : Mr. R.S. Pai, Advocate

For the workman : Mr. J.H. Sawant, Advocate

Mumbai, the 4th August, 2011

AWARD PART-I

The Government of India, Ministry of Labour & Employment by its Order No. L-11012/62/2003-IR(C-I), dated 20/06-07-2004 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2 (A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following industrial dispute to this Tribunal for adjudication :

“क्या इंडियन एयरलाइंस के प्रबंधन द्वारा कर्मकार श्रीमती आर. बालागंगा को दिनांक 6-6-2001 से उनकी बहाली के समय उनकी पूर्व सेवा में निरंतरता न दिया जाना तथा दिनांक 14-3-2000 से 5-6-2000 की अवधि के लिए वेतन आदि अन्य लाभ न दिया जाना उचित एवं न्यायसंगत है ? यदि नहीं तो कर्मकार किस राहत की पात्र है ?”

2. After receipt of the reference from Ministry, both the parties were served with notices. Both the parties appeared through their representatives. The second party workman has filed her statement of claim at Ex-9. According to her, she was serving with first party. She was recruited as office assistant/clerk and working since 1979. She was promoted to the post of Office Superintendent. In the year 1997, she was chargesheeted for accepting illegal gratification. Disciplinary proceeding was initiated against the workman. The inquiry was conducted against her in violation of the principles of natural justice. The inquiry officer held her guilty and sent report to the management. The management by its order dated 14-3-2000 removed the workman from the service with immediate effect. They also filed approval application NTB. 30/2000. The said approval application came to be dismissed by National Industrial Tribunal dt. 5-4-2002.

3. The workman had also filed appeal before the appellate authority against the order of removal. Appellate Authority vide its letter dt. 4-6-2001 allowed the workman to join the service as a fresh appointment w.e.f. 6-6-2001. The management ignored to pay for the period 14-3-2000 to 5-6-2001. Management also failed to treat the said period as period on duty for all the purposes and also ignored to give her consequential benefits. Therefore workman has raised industrial dispute over the demand of her continuity of service for the period 14-3-2000 to 5-6-2001 with all consequential benefits. The conciliation failed therefore at the instance of RLC the Ministry has sent this reference. The workman therefore prays that the action of management not granting continuity of service and not paying wages and other benefits to the workman for the period 14-3-2000 to 5-6-2001 be declared illegal and unjustified. She also sought for direction to the management to consider the period from 14-3-2000 to 5-6-2001 for the purpose of continuity in service and to give the workman wages, allowances and other consequential benefits.

4. The first party management resisted the statement of claim vide its written statement at Ex-10. According to them the reference is not maintainable as dispute is not raised by union. As the workman has accepted the fresh employment, she is estopped from claiming continuity of service and other consequential benefits from 14-3-2000 to 5-6-2001. She has joined the service afresh from 6-6-2001 as per the order of appellate authority. By the said acceptance of employment afresh, the industrial dispute had come to an end.

5. According to them, the workman was chargesheeted dated 17-3-1997 for demanding illegal gratification from casual employee. The workman

participated in the inquiry through her representative. She was given opportunity to defend herself through her legal representative of her choice. The inquiry officer found her guilty of the charges leveled against her. He submitted his report dt. 19-2-2000. The competent authority in pursuance of his report after hearing the workman terminated her service by its order dated 14-3-2000. The inquiry was fair and proper. Sufficient opportunity was given to the workman. Therefore it cannot be said that there was violation of principles of natural justice.

6. The workman filed appeal against the order of removal before appellate authority. The appellate authority modified the order of punishment and removal was substituted by appointment of the workman afresh as an office assistant. As she was re-appointed, the approval application came to be dismissed. The workman was appointed as a fresh employee as per the order of appellate authority. The appellate authority has reconsidered the punishment on sympathetic ground and appointed the workman afresh in the post of office assistant. As the workman has accepted the fresh appointment and joined her duties as per the order of appellate authority, she is estopped from raising this dispute. Therefore they pray that the reference be dismissed with cost.

7. Following are the preliminary issues framed by my Id predecessor for my determination. I record my findings thereon for the reasons to follow :

Issues	Findings
1. Whether this reference is maintainable ?	Yes
2. Whether inquiry is fair and proper ?	Yes
3. Whether findings are perverse ?	No
4. What order ?	As per order below

REASONS

Issue No. 1 :

8. According to the first party management, the reference is not maintainable as it is hit by the principles of estoppel. In this respect, the Id adv for the first party submitted that the appellate authority modified the sentence of the workman. They took sympathetic view and instead of termination of service, the appellate authority directed to give fresh appointment to the workman to the post of office assistant. He further submitted that the workman accepted the said post of fresh appointment, therefore according to him now the workman is estopped from claiming the continuity in service and wages and other benefits for the period of her suspension.

9. In this respect I would like to point out that the appellate authority had modified the order in the light of order of National Industrial Tribunal who had rejected the approval application of the management. Though the workman has joined as per modified order of fresh appointment, it cannot be said that she had given off her claim of wages and other benefits for the period for which she was suspended. It also does not mean that she had given up her claim to treat her service as continuous service and the benefit of continuity. She was very well entitled to raise the industrial dispute to claim the relief of continuity in service and wages and other benefits of the period in dispute. Merely acceptance of fresh appointment would not come in her way as an estoppel from claiming the relief which she is entitled to under Industrial Dispute act. In this backdrop conclusion can be arrived at that reference is not hit by the principle of estoppel and it is maintainable. Accordingly, I decide this issue no. 1 in the affirmative.

Issue No. 2 :

10. The second party workman has claimed that she was not given fair and proper opportunity to defend herself in the inquiry proceeding. According to her, the inquiry officer has violated the principles of natural justice. As against this according to the first party management, the chargesheet was served on the workman. Charges were explained to her. She was allowed to engage representative of her choice. Accordingly, she has engaged the representative of her choice. The workman has admitted in her cross at Ex.-15 that she was served with the chargesheet dt. 17-3-1997. Inquiry was accordingly conducted. She further admitted in her cross that she attended the inquiry with the help of her representative. She has signed the inquiry proceedings with her representative. She admitted that copy of inquiry report was served on her. She has also replied the same. Thereafter she was removed from the service. She further says that, she had filed appeal before appellate authority and appellate authority directed to reappoint her. Accordingly she joined the duty since 6-6-2001. Her approval application was disposed of as she was re-appointed. From the reply of the workman in her cross examination, it is revealed that chargesheet was served on her. She had attended the inquiry proceeding. She had also appointed representative of her choice. Both have signed the inquiry proceedings. The inquiry report was served on her. And after considering her reply thereto the disciplinary authority has passed the order of termination of her service. From the reply in her cross examination referred above, it is clear that there was no violation of principle of natural justice. The inquiry was conducted in presence of the workman. She was allowed

to take part in the inquiry proceeding through her representative. In the circumstances it cannot be said that inquiry was improper or unfair. On the other hand the replies of the workman in her cross at Ex-15 support the version of the first party that sufficient opportunity was given to the workman while conducting the inquiry. Therefore, I hold that the inquiry was fair and proper. Accordingly I decide this issue no. 2 in the affirmative.

Issue No. 3 :

11. In respect of findings, the Id adv for the first party submitted that the inquiry was fair and proper. Sufficient opportunity was given to the workman to cross examine the witness of the management. They were cross examined by the representative of the workman. The inquiry officer has arrived to the conclusion and held the workman guilty. As the inquiry proceeding was fair and proper, and the conclusion drawn by inquiry officer was on the basis of the evidence before him, therefore, the findings cannot be called perverse. Accordingly, I decide the issue no. 3 in the negative.

12. In the light of discussions and findings on issue nos. 1 to 3 above, I hold that inquiry is fair and proper and the findings of the inquiry officer are not perverse. Now in the part-II award, only question for determination is whether the workman is entitled to the relief sought for ? In the case at hand, the workman has sought for relief that the first party be directed to pay the wages and other benefits for the period 14-3-2000 determination is whether the workman is entitled to the relief sought for ? In the case at hand, the workman has sought for relief that the first party be directed to pay the wages and other benefits for the period 14-3-2000 to 5-6-2001 with continuity of her service and consequential benefits thereof. It is a pure question of law. There is no scope for oral evidence so far as punishment or adequacy thereof is concerned. Therefore, only arguments would suffice the purpose. Thus the order :

ORDER

The inquiry is held fair and proper. The findings of inquiry officer are held not perverse.

The parties are directed to remain present through their representatives to argue on the point of relief claimed by the workman or to decide whether punishment is proportionate to the alleged misconduct.

K.B. KATAKE, Presiding Officer/Judge

नई दिल्ली, 26 अगस्त, 2011

SCHEDULE

का.आ. 2633.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार टाटा स्टील लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं-2, धनबाद के पंचाट (संदर्भ संख्या 60/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-8-2011 को प्राप्त हुआ था।

[सं. एल-20012/112/2007-आई आर (सी-1)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 26th August, 2011

S.O. 2633.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 60/2007) of the Central Government Industrial Tribunal-cum-Labour Court-2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Tata Steel Ltd. and their workman, which was received by the Central Government on 26-8-2011.

[No. L-20012/112/2007-IR (C-I)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD****PRESENT:**

Shri Kishori Ram, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 60 of 2007**PARTIES :**

Employers in relation to the management of M/s. Tata Steel Ltd. and their workman.

APPEARANCES:

On behalf of the workman : None

On behalf of the employers : Mr. D. K. Verma, Advocate.

STATE : Jharkhand

INDUSTRY : Coal

Dhanbad, the 3rd August, 2011

AWARD

1. The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/112/2007-IR (C-I) dated 13-9-2007.

“Whether the action of the Management of Malkera Colliery of M/s. Tata Steel Limited in dismissing the services of Shri Sudama Das, Miner w.e.f. 16-5-1998 is justified and legal? If not, to what relief is the concerned workman entitled?”

2. None represented the Union concerned/workman nor Written Statement filed on behalf of workman. Mr. D. K. Verma the Ld. Advocate for the management is present.

3. Perused the case record. This reference relates to the dismissal of workman Sudama Das, Miner from the service by the management of Malkera Colliery of M/s. Tata Steel Ltd. with effect from 16-5-1998. The case has been pending ab initio right from 13-3-2008 for filing Written Statement, for which despite several times notices i.e. show cause dated 3-6-2008, notice dated 5-11-2010, again registered show cause notice dated 9-3-2011 to the Vice President of the Union Rashtriya Colliery Mazdoor Congress (RCMS), Vinod Nagar, Chiaragora, Dhanbad, none represented the workman. Under these circumstances, I find that the Union concerned representing the workman appears to be not at all interested in pursuing the case. Therefore, proceeding with the case for indefinite period as well as for disinterestedness of the Union concerned in it is worthless. Hence, the case is closed and order is passed accordingly.

KISHORI RAM, Presiding Officer.

नई दिल्ली, 26 अगस्त, 2011

का.आ. 2634.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी. सी. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं-2, धनबाद के पंचाट (संदर्भ संख्या 40/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-8-2011 को प्राप्त हुआ था।

[सं. एल-20012/192/2002-आई आर (सी-1)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 26th August, 2011

S.O. 2634.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 40/2003) of the Central Government Industrial Tribunal-cum-Labour Court-2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. BCCL and their workmen, which was received by the Central Government on 26-8-2011.

[No. L-20012/192/2002-IR (C-I)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD****PRESENT:**

Shri Kishori Ram, Presiding Officer.

In the matter of an Industrial Dispute under Section
10(1)(d) of the I.D. Act, 1947**Reference No. 40 of 2003****PARTIES :**Employers in relation to the management of Jealgora
Colliery of M/s. BCCL and their workmen.**APPEARANCES:**

On behalf of the workmen : None

On behalf of the employers : Mr. D. K. Verma,
Advocate.

STATE : Jharkhand

INDUSTRY : Coal

Dhanbad, the 2nd August, 2011

ORDER

1. The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/192/2002-IR (C-I), dated the 30th April, 2003.

SCHEDULE

“KYA BIHAR COLLIERY KAMGAR UNION KI BHARAT COKING COAL LIMITED KEY PRAVANDHTANTRA SEY MANG KI SHRI NARAYAN BAURI, TIMBER MAN KO ‘DRILL MAN’ KEY PAD PAR TATHA SARVSHREE NANDLAL DAS, RAM TARAK MODI TATHA RAJUDAS KO ‘WINDINGENGINE DRIVER’ KEY PAD PAR NIYAMIT KIYA JAYE UCHIT EVAM NAYASANGAT HAIN ? YADI HAN TO KARMKAR KIS RAHAT KEY PATRA HAIN TATHA KISTARIKH SEY”.

2. None represented the Union/workmen nor any witness for evidence on behalf of the workmen is present but Mr. D. K. Verma, the Ld. Advocate for the management is present.

3. Perused the case record, the present reference relates to the demand of the Union concerned from the management of BCCL for regularisation of the workman Nandlal Das, Ram Tarak Modi and Raju Das as Winding Engine Driver and workman Narayan Bauri, Timber Man as Drill man. The record reveals that the case has been pending for the evidence of the workmen since 29-3-2006 but despite the notices dated 2-11-2010 both the parties, no

representative of the workmen represented the case from 24-8-2006 to 6-2-11, but on the prayer of Mr. D. Mukherjee, the representative of the workmen for an adjournment for evidence of workmen on 3-5-2011, it was allowed for it. But on the following date i.e. 12-7-2011, Mr. D. Mukherjee, for the Union had submitted that since the workmen are not interested to proceed with the case, so it might be closed, for which he was directed to file a petition to that effect. But the same has not been filed today. It stands quite clear from the conduct of the representative of the workmen as well as the workmen themselves that they are not interested in pursuing the case by producing the evidence on their behalf in this case for proper adjudication. This is the oldest case of the year 2003. For the reason of the disinterestedness of the workmen, Mr. D. Mukherjee the representative of workmen also appears to have lost his interest in contesting the case. Under these circumstances, I find proceeding with the case for infinite is wastage of time and energy and futile. Hence, the case is closed and accordingly order is passed.

KISHORI RAM, Presiding Officer.

नई दिल्ली, 29 अगस्त, 2011

का.आ. 2635.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 11/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-8-2011 को प्राप्त हुआ था।

[सं. एल-12025/1/2011-आई आर (बी-1)]
रमेश सिंह, डेस्क अधिकारी

New Delhi, the 29th August, 2011

S.O. 2635.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 11/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India and their workman, received by the Central Government on 26-8-2011.

[No. L-12025/1/2011-IR (B-I)]
RAMESH SINGH, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
AT HYDERABAD****PRESENT:**

Shri Ved Prakash Gaur, Presiding Officer.

Dated, the 27th day of July, 2011

Industrial Dispute L. C. No. 11/2005

BETWEEN

Sri V. Naga Raja,
S/o V. Anantha Ramaiah,
R/o Plot No. 69, Road No. 14,
Alkapuri, Hyderabad-35

... Petitioner

AND

1. The Deputy General Manager,
State Bank of India,
Zonal Office, Secunderabad
2. The Assistant General Manager,
State Bank of India,
Region-V, Zonal Office,
Secunderabad
3. The Branch Manager,
State Bank of India,
Dhone Branch, Kurnool District

... Respondents

APPEARANCES:

For the Petitioner : M/s. Karna Venkateswara
Rao, S. R. Sanku and B.
Ramakrishna Rao,
Advocates.

For the Respondent : M/s. B. G Ravindra Reddy
and B. V. Chandra Sekhar,
Advocates.

AWARD

This petition under Section 2A (2) of the I.D. Act, 1947 has been filed by Sri V. Naga Raja, Ex. Employee of State Bank of India challenging his dismissal order dated 1-7-2004 and to reinstate him in the service with full back wages.

2. It has been alleged by the Petitioner workman that he was appointed in the State Bank of India in the year 1985 as Assistant (Accounts/Typist) in Kishangunj branch, Delhi. From there he was transferred to Regional Office at Parliament Street, New Delhi in 1988 and thereafter he was transferred to Official Language Section, Zonal Office, Tirupathi and in the year 1992 he was transferred to Dhone branch of State Bank of India. While working in the Dhone branch, he earned the wrath of local staff because Petitioner was not hailing from Rayalaseema area and he expertised in the official language at Dhone branch. While working in the Dhone branch he was served with a charge sheet dated 2-6-2000 alleging therein that the Petitioner has misappropriated a sum of Rs. 1,19,250 from the customers accounts for his unlawful gain though the charges were not correct because the discrepancy was found to be of

the technical nature, however, the Petitioner made good of the amount though other staff members of the branch were responsible for the discrepancy in the accounts. The Petitioner submitted his explanation, an enquiry was held. In the mean time the Respondent management lodged a FIR in Police Station, Dhone under Sections 409 and 420 of Indian Penal Code. Police submitted charge sheet which came for hearing before JFMS, Dhone. The criminal Trial took place before the Court of JFMS, who concluded that the charges against the Petitioner were not proved and it has passed order accordingly.

3. It is further alleged that before the acquittal order was passed the management, in utter surprise and disregard to the proceeding before the criminal Court concluded the departmental enquiry where the Enquiry Officer held that the charges against the Petitioner were proved and before the acquittal of the Petitioner, on the basis of the enquiry report Petitioner was dismissed from the service.

4. It is alleged that the Petitioner was tried in criminal case an action was taken against him in the Departmental proceedings for one and the same charges and Petitioner was acquitted from the criminal Court as such, the Departmental proceedings should have dropped on the basis of the finding of the criminal Court and Petitioner should not have been dismissed from the service. Petitioner filed an appeal against dismissal order but appeal was also dismissed. The dismissal order is illegal, unfair, arbitrary and against the terms and conditions of the Sastri Award which is binding on the parties. On the basis of the above facts the Petitioner has approached this Tribunal to quash the dismissal order and for his reinstatement.

5. Respondent management has filed counter statement. It has been stated by the Respondent that the charges against the Petitioner were framed and charge sheet was issued to the Petitioner vide proceeding No. DPS/ZO/Hyd/114 dated 2-6-2000 he was acknowledged by the Petitioner on 3-7-2000. The charges against the Petitioner were as under :

“... While officiating as teller, the Petitioner received amounts from Savings Bank account holders for credit of their accounts on different dates and on various occasions but did not account for the amount so received by him in the Teller/Cash Receipt Scrolls.

... the Petitioner issued counterfoils in token of having received the amounts remitted by 2 Savings Bank Account holders by misappropriated the same.

... The Petitioner got transferred into his Savings Bank Account, amounts from Savings Bank Account of public, by preparing the plain debits and credit vouchers.

... The Petitioner over drew on his Saving Bank Accounts.

By the above acts, the Petitioner caused loss to the tune of Rs. 2.25 lakhs.

6. Respondent has further submitted that Police complaint was lodged as offence was of criminal nature and departmental enquiry was also conducted which was for the act of misconduct committed by the Petitioner as an employee of the management. Management further submitted that enquiry proceedings were conducted without any reference to the pending criminal proceedings because the proceeding before two authorities were different in nature and disciplinary proceeding was conducted after giving fair and proper opportunity to the Petitioner. Disciplinary Authority and the Appellate Authority considered the evidence produced before the Enquiry Officer which was commenced on 9-1-2002 and concluded on 27-3-2002. On the basis of the enquiry report final order was passed. Petitioner preferred appeal which was dismissed. During the enquiry proceeding Petitioner has voluntarily admitted his guilt. There is vast difference between scope of disciplinary proceeding and criminal case proceeding and there is no bar for initiating parallel proceeding before two separate authorities, as such, no prejudice has been caused to the workman. Petitioner was afforded fair opportunity. Charges were proved. Petitioner was dismissed, hence, there is no force in the claim statement, it deserves to be dismissed.

7. Both the parties have filed their evidence. Management has filed xerox copies of entire disciplinary proceedings record. Petitioner also filed certain documents relating to the enquiry proceeding.

8. In this matter since domestic enquiry was conducted before passing of the impugned punishment order, the validity and legality of domestic enquiry was considered by this Tribunal before entering the merits of the case under Section 11A of the Industrial Disputes Act, 1947 vide its order dated 23-4-2010, this Tribunal came to the conclusion that the domestic enquiry conducted by the management was legal and valid and the matter was posted for hearing under Section 11A of the Industrial Disputes Act, 1947.

9. The case was fixed for argument but, petitioner did not participate in proceeding of oral argument. However, Respondent's counsel has participated in the oral argument.

10. I have considered the arguments advanced on behalf of the Respondent and the points raised by the Petitioner workman through his claim statement.

11. This Tribunal has to consider the following points :

- (I) Whether the action of the management in dismissing the Petitioner from service is legal and justified or not; and
- (II) To what relief the Petitioner is entitled if any ?

12. Point No. (I) : The main contention of the Petitioner through his claim statement is that though there was discrepancy in the ledger book to a tune of Rs. 1,19,250 but that discrepancy was rectified by the Petitioner. He has credited Rs. 1,19,250 in due rectification of the mistake, thus, there was no misappropriation. His second objection is that for the same mistake criminal case was filed against the Petitioner and Petitioner was acquitted from the criminal court as such, the punishment of dismissal was neither justifiable nor proper in the present case. Not only that the Petitioner's contention is that since he was acquitted from the criminal Court he should not have been punished by the Disciplinary Authority.

13. Against this contention of the Petitioner worker Learned Counsel for the Respondent has argued that the enquiry proceeding and criminal case are two different nature of proceedings and standard of the proof is of different nature. He has stated before this Tribunal that in criminal case the prosecution has to prove the guilt beyond all reasonable doubts. Whereas in the disciplinary proceeding only the factum of probability and preponderance has to be brought before the Enquiry Officer so that the Enquiry Officer may come to conclusion that the delinquent employee has probability of committing such mistakes or misconduct. Thus, the criminal proceeding cannot be equated with the domestic enquiry. Even in case of acquittal from the criminal proceeding if department has been able to prove preponderance and probability of the misconduct against the delinquent employee before Enquiry Officer Disciplinary Authority has every right and power to punish the delinquent employee on the basis of report of Enquiry Officer.

14. I agree with the argument of the Learned Counsel for the Respondent that the criminal proceeding and departmental enquiry are different in nature. In criminal proceeding prosecution has to prove the guilt beyond all reasonable doubts whereas in the departmental proceedings only preponderance and probability has to be brought before the Enquiry Officer. From the enquiry proceeding file which has been brought by the Respondent before this Tribunal and which has been considered by this Tribunal while determining the legality and validity of the domestic enquiry it is found that the management was able to bring such evidence before the Enquiry Officer which prove the probability and preponderance of the misconduct committed by the delinquent employee.

15. While going through the departmental proceeding record this Tribunal has found that a specific question of misconduct was put forward before the delinquent employee during the enquiry proceeding and to all the questions the delinquent employee has admitted in affirmity. Thus, there was no doubt before the Enquiry Officer to come to the conclusion that the Petitioner has committed the misconduct and he misappropriated a sum of Rs. 1,19,250 from different

accounts of the customers. No doubt, he has made good the amount but that has caused great loss of reputation and integrity of the banking institution in which the public has great faith by putting its hard earned money in trust with the bank. Thus, to my mind the Enquiry Officer has not committed any perversity. There was sufficient evidence before the Enquiry Officer to come to the conclusion that the Petitioner has committed misconduct of financial nature which is very grave misconduct for an employee of the financial institution and to my mind the management has not committed any mistake in dismissing the Petitioner from the service from whom high standard of honesty and integrity is required. Thus, the punishment order of the management is neither disproportionate nor excessive. It is legal and justified. Point No. 1 is decided accordingly.

16. **Point No. (II) :** In view of the Point No. (I) this Tribunal is of the considered opinion that the punishment imposed on the Petitioner is neither excessive nor disproportionate and Petitioner is not a deserving person for any lenient view to be taken in favour of the Petitioner and no interference is required in the matter of the punishment. Point No. (II) is decided accordingly.

17. From the above discussion, this tribunal is of the considered opinion that the claim petition is unfounded, no interference is required in this case. Petitioner is not entitled for any relief, petition deserves to be dismissed and it is dismissed. Hence, this award.

Award passed accordingly. Transmit.

VED PRAKASH GAUR, Presiding Officer

Appendix of Evidence

Witnesses examined for the Petitioner	Witnesses examined for the Respondent
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NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 29 अगस्त, 2011

का.आ. 2636.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 200/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-8-2011 को प्राप्त हुआ था।

[सं. एल-12025/1/2011-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 29th August, 2011

S.O. 2636.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 200/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of State Bank of India and their workman which was received by the Central Government on 26-8-2011.

[No. L-12025/1/2011-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

PRESENT:

Shri Ved Prakash Gaur, Presiding Officer

Dated, the 28th day of July, 2011

Industrial Dispute L.C. No. 200/2004

BETWEEN

Sri M. Srinivasa Varma,
S/o Late M. Rama Raju,
H.No. 4-139, Ramanagar,
Srungavarapukota,
Vizayanagaram-535145

... Petitioner

AND

1. The Branch Manager,
State Bank of India, ADB,
Parvathipuram, Vizayanagaram
 2. The Assistant General Manager,
Region-V, Zonal Office,
R.T.C. Complex Building,
Dwarakanagar,
Visakhapatnam
 3. Sri B. Ramesh,
The officer S.M.G.H-V and Enquiry Officer,
State Bank of India, Fort Branch,
Vizayanagaram
- ... Respondents

APPEARANCES:

For the Petitioner : M/s. I.V. Radha Krishna
Murthy, G Ravi Shankar, K.
Srinivasulu and L. Chandra
Mohan Reddy, Advocates

For the Respondent : Sri M. Ramdas, Advocate

AWARD

This petition under Section 2A (2) of the I.D. Act, 1947 has been filed by Sri M. Srinivasa Varma, an Ex. Employee of State Bank of India challenging the order of dismissal dated 17-4-2004 and to reinstate the Petitioner with full back wages.

2. It has been alleged that Petitioner joined in Respondent bank on 1-7-1985 as clerk-cum-cashier. He was posted to Srungavarapukota branch. He was placed under suspension vide proceeding No. 10/99-2000, dated 17-8-1998 on the ground of irregularities while working at Srungavarapukota branch. Petitioner has put in 14 years of service and he has unblemished record during all this period. It is alleged that the Petitioner has not committed any irregularity. He was asked to receive the suspension order. After he was placed under suspension, he made a representation for payment of subsistence allowance. Thereafter he received a show cause notice dated 30-3-2001 and enquiry was ordered. Mr. M. Nagabhushana Rao was appointed as Enquiry Officer. The management lodged complaint with Srungavarapukota Police Station and domestic enquiry was also ordered. The enquiry was conducted and Enquiry Officer submitted his report, the Enquiry Officer opined that charges against the Petitioner were proved though there was no evidence against the Petitioner. No show cause notice was given to the Petitioner before dismissing the Petitioner. Basing on the finding of the Enquiry Officer, his services were terminated. Hence, this petition.

3. Management has filed counter statement stating therein that the Petitioner was placed under suspension due to serious irregularities committed by him in Savings Bank Accounts and D.D. Purchases at Srungavarapukota branch. The Petitioner's contention that he is having unblemished record is not correct because, a group of teachers lodged complaint against the Petitioner with Srungavarapukota branch regarding mis-behaviour of the Petitioner. A show cause notice was served on Petitioner which was acknowledged by him on 14-6-2000, but Petitioner did not submit his explanation, then a memorandum was issued to the Petitioner to which also Petitioner did not submit his reply. A criminal case was registered against the Petitioner. The enquiry was conducted as per direction of the Hon'ble High Court of A.P., Hyderabad passed in W.P. No. 5025/2002 where Petitioner himself gave undertaking to cooperate with the enquiry. The management has admitted that there is detailed procedure prescribed for conducting enquiry and they have complied with the said procedure. On the basis of enquiry report of the Enquiry Officer the punishment of dismissal was imposed on Petitioner. There is no substance in the claim statement and deserves to be dismissed.

4. Parties were heard and this Tribunal came to the conclusion that enquiry conducted by the management is

legal and valid vide its order dated 20-1-2009 and the matter was posted for arguments under Sec. 11A of Industrial Disputes Act, 1947.

5. This Tribunal has to consider,

(I) Whether the action of management in terminating the services of Petitioner is legal and justified or not ?

(II) To what relief is the Petitioner entitled ?

6. I have heard Learned Counsel for the Respondent and Petitioner or his counsel did not participate in the argument proceeding.

7. It has been argued by Learned Counsel for the Respondent that the Petitioner was an employee of the bank from whom high degree of honesty and integrity is required and if a bank employee misappropriated or even temporarily misused the fund of the bank or of the customer it constitutes a serious misconduct inviting serious punishment as held by Hon'ble Supreme Court in the matter of State Bank of India Vs. S. N. Goyal reported in AIR 2008 SCC 2594. He has further argued that Petitioner was a clerk-cum-cashier, that he made fictitious entries to the tune of Rs. 2,70,596 in Savings Bank Accounts and derived the amount unauthorizedly by forging signatures of account holders. It is further alleged that the Petitioner raised debits in S.B. accounts to the tune of Rs. 3,60,500 in unauthorized manner by forging the signature of account holder and misappropriated the amount. It is further alleged that he misplaced DD purchases together with instruments to a tune of Rs. 92,210 and detained the pass book of Smt. D. Radhika SB A/c No. 48/10323 and Sri K.V.A.N. Raju and obtained three pre-signed withdrawal form for Rs. 10,000 and encashed the same and pocketed the same. These matters were enquired, evidence was produced before the Enquiry Officer, wherein 12 witnesses and enormous documents were produced before the Enquiry Officer. The Petitioner participated in the enquiry proceeding and all the charges against the Petitioner were found to be proved. Thus, the Petitioner has committed serious financial irregularities and grave misconduct. As such, the Petitioner was not found to be fit to remain in the services of the bank. Petitioner has lost faith of his employer and services of the Petitioner were terminated. The Petitioner has not been able to put forward a single explanation regarding his misconduct and the enquiry proceeding and the charges proved against him as such, Petitioner cannot be said to be entitled for any relief.

8. I have considered the above argument of Learned Counsel for the Respondent and I have gone through claim statement and evidence filed on behalf of the Petitioner as well.

9. It would be pertinent to mention that Petitioner himself has filed some of the enquiry proceeding documents

and he has filed a copy of bi-partite settlement of the Sastri Award, but, Petitioner has not been able to put forward a single provision of bi-partite settlement or agreement has giving license to the employees of the bank to misappropriate the funds of the bank or of customers or mis-utilized fund of the bank by its the employees. As regard taking action by way of departmental proceeding, even if the matter might be pending before the police or criminal Court regarding misappropriation of the fund of the employer there is no prohibition in conducting departmental enquiry on the charges of serious misconducts because criminal case and departmental proceedings are two different nature of proceedings. In criminal case the prosecution has to prove guilt beyond all reasonable doubts whereas in the matter of domestic enquiry or departmental proceeding the management has to prove the preponderance and probability of the misconduct committed by his employee, as such, even if the criminal matter is pending before a competent court domestic enquiry could be conducted and on proving the guilt the employee could be dismissed from service. I have gone through the case law relied upon by the Learned Counsel for the Respondent published in AIR 2008 SCC 2594 in the matter of State Bank of India Vs. S. N. Goyal in which the financial irregularity was committed by the Branch Manager of the bank by temporary misappropriation of the bank's funds. The Hon'ble Supreme Court held that even if the matter is of temporary misappropriation, the punishment of removal cannot be reduced. In the present case, the Enquiry Officer found that Petitioner has misappropriated several lakhs of rupees by withdrawing amounts from bank's customer's account and thus, the punishment imposed on Petitioner is neither disproportionate nor excessive. The action of management is legal and justified. Point No. (I) decided accordingly.

10. Point No. (II) : Petitioner has not been able to prove that action of management is illegal or unjustified, as such, he is not entitled for any relief. Point No. (II) is decided accordingly.

11. From the above discussion, this Tribunal has come to the conclusion that the action of the Respondent management in dismissing the Petitioner Sri M. S. Varma is legal and justified and he is not entitled for any relief as such, petition is dismissed. Hence, this award.

Award passed accordingly. transmit.

VED. PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner : Witnesses examined for the Respondent

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 29 अगस्त, 2011

क्र.आ. 2637.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सर्व यू. पी. ग्रामीण बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, दिल्ली के पंचाट (संदर्भ संख्या 25/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-8-2011 को प्राप्त हुआ था।

[सं. एल-12011/46/2009-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 29th August, 2011

S.O. 2637.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 25/2011) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Sarv UP Gramin Bank and their workman, which was received by the Central Government on 26-8-2011.

[No. L-12011/46/2009-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

**BEFORE DR. R. K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
NO. 1, KARKARDOOMA COURTS COMPLEX
DELHI**

L.D. No. 25/2011

The General Secretary,
UP Gramin Bank Employees Union,
159, Rampur, Muzaffarnagar, U.P. ... Workman

Versus

1. The Chairman,
Sarv UP Gramin Bank,
C-39/5, Jagriti Vihar,
Meerut (UP).
2. The General Manager,
Sarv UP Gramin Bank,
C-39/5, Jagriti Vihar,
Meerut (UP) ... Management

AWARD

Muzaffar Nagar Kshetriya Gramin Bank was joined by Smt. Usha Sharma as clerk-cum-typist on 1st July, 1985.

Record is deficient on the point as to whether Muzaffar Nagar Kshetriya Gramin Bank got merged in or it was taken over by Sarv UP Gramin Bank (hereinafter referred to as the Bank). However facts tell that she was working in the Bank, when computerization took place in all its branches as well as controlling offices. After computerization she was offered to work as computer operator by the Bank vide its letter dated 7th Nov., 2007 for which she was eligible in terms of circular No. 22/07 dated 9th October, 2007. Subsequently due to administrative exigencies, the Bank decided to change her designation as clerk-cum-cashier from clerk-cum-typist and for that purpose a notice dated 30-5-2008 was served upon her, to answer the obligations contained in Section 9A of the Industrial Disputes Act, 1947. She was informed that on account of change of her designation there would be no reduction of her salary/allowances. She submitted a reply dated 23-6-2008, which was not found to be satisfactory.

2. Her designation was changed to clerk-cum-cashier and she was informed of that fact vide letter dated 25-6-08. Change in the nature of job was in conformity with clause 3(a)(2) of the Service Regulations applicable to her and also in terms of clause 3(b) of agreement of service dated 18-9-85. She filed a writ petition No. 40590/2008 before High Court of Judicature at Allahabad, which was disposed of on 11-8-2008 with the direction to the Bank to dispose of her appeal, if any, in accordance with law. Her appeal dated 24-7-2008 was decided on 23-8-2008.

3. Smt. Usha Sharma approached the UP Gramin Bank Employees Union (hereinafter referred to as the Union) for redressal of her grievances. The Union raised a demand in that regard, which was not conceded to by the Bank. A dispute was raised before the Conciliation Officer. Conciliation proceedings resulted in to failure. On receipt of failure report, the appropriate Government has referred the dispute to this Tribunal vide order No. L-12011/46/2009-IR(B-I), New Delhi, dated 17-2-2011, with following terms:

“Whether the action of the management of Sarv UP Gramin Bank in changing the designation of Smt. Usha Sharma, clerk-cum-typist as clerk-cum-cashier and transferring her from Muzaffarnagar Branch to Khatauli Branch in the guise of the change in service condition under Section 9A of Industrial Disputes Act, 1947 is legal and justified? To what relief the concerned employee is entitled?”

4. Despite a command in the reference order, no claim statement was filed by Smt. Usha Sharma or the Union before this Tribunal. Notices were sent by registered post to Smt. Usha Sharma, through the General Secretary of the Union on 25-3-2011 and 10-5-2011. Postal articles were not received back. Every presumption lies in favour of the fact that notices, so sent, were delivered to the addressee.

Despite service of the notices, no claim statement was filed on behalf of Smt. Usha Sharma.

5. The Bank put in its appearance on 6-4-2011 and on subsequent dates. When claim statement was not filed on behalf of Smt. Usha Sharma, the Bank opted to file its response to the questions raised in the reference order. I have considered the facts detailed therein and heard Ms. Navdeep Kaur, authorised representative of the Bank.

6. Letter dated 20-5-2011, written by Smt. Usha Sharma to the Bank, has been annexed by the Bank alongwith its response to the reference order. In the said letter, Smt. Usha Sharma details that she had appraised the Union that she does not want to agitate her grievances before this Tribunal. She laid emphasis on the fact that she is satisfied by her position as clerk-cum-cashier. Therefore conspicuous absence of a claim statement on behalf of Smt. Usha Sharma and contents of letter, referred above, make it clear that she is satisfied by her designation as clerk-cum-cashier and does not want to agitate her stand in that regard either to substantiate terms of reference or in future. It is evident that there remains no dispute, which is to be adjudicated. Consequently a “no dispute” award is passed. It be sent to the appropriate Government for publication.

Dated : 28-7-2011

Dr. R. K. YADAV, Presiding Officer

नई दिल्ली, 29 अगस्त, 2011

का.आ. 2638.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सांगली बैंक लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 40/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-8-2011 को प्राप्त हुआ था।

[सं एल-12012/395/1999-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 29th August, 2011

S.O. 2638.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 40/1999) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of Sangli Bank Ltd., and their workman, which was received by the Central Government on 26-8-2011.

[No. L-12012/395/1999-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE**BEFORE SHRI J. P. CHAND, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT,
NAGPUR****Case No. CGIT/NGP/40/1999****Date : 11th August, 2011**

Party No. 1 : The Managing Director,
Sangli Bank Ltd., Rajwada Chowk,
Post Box No. 158, Sangli,
Maharashtra-416416

Versus

Party No. 2 : Shri Ravindra Singh Bajrang Singh
Gaur,
R/o Babra Bhavan, Dharampeth Extn.,
Nagpur-440010

AWARD

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of ICICI Bank and their workman, Shri Ravindra Singh Bajrang Singh Gaur, for adjudication, as per letter No. L-12012/395/1999-IR(B-I) dated 4-11-1999, with the following Schedule :

SCHEDULE

"Whether the action of the Managing Director, Sangli Bank Ltd., Sangli in dismissing Shri Ravindra Singh Gaur, Ex-Clerk w.e.f. 29-8-1998 is legal and justified? If not, to what relief is the workman entitled and from what date?"

2. On receipt of the reference, notices were sent to the parties for filing of their respective statement of claim and written statement, in response to which, the workman Shri Ravindra Singh Bajrang Singh Gaur ("the workman" in short) filed the statement of claim and the management of Sangli Bank ("the party No. 1" in short) filed the written statement.

3. According to the statement of claim filed by the workman, he joined as a Clerk in Sangli Bank Ltd., Sangli in the year 1979 and was posted to Dharampeth Branch at Nagpur and while he was working as such, on 30-8-93, a charge sheet was submitted against him on the allegation of his committing various irregularities, while discharging his official duties by manipulating books of accounts and misused the bank's fund and the bank prevailed upon him to deposit the amount misused by him, by way of transfer entries and he did so, under inducement of the bank authorities and the bank authorities publicly announced about the bank not sustaining any money loss and though the bank authorities had assured him of not taking any further action in the matter, in case of depositing of the

amount, they backed out from their promise and file a F.I.R. against him, with the Police, after lapse of 13 months and Police investigated into the case, but did not submit any charge sheet against him. The further case of the workman is that the bank also proceeded against him by initiating a departmental proceeding and one Shri Kulkarni, a Branch Manager of the Bank was appointed as the Inquiry Officer and he being a service personnel of the bank was amenable to the influences of the bank and the Inquiry Officer conducted the enquiry in an infirmed method and the penalty order passed against him is illegal, perverse and disproportionate and the findings are perverse and not based on any supporting evidence and the entire enquiry was conducted in violation of the principles of natural justice and he was not allowed the assistance of a lawyer for his defence even though the matter was very complicated and the Inquiry Officer and so also the Presenting Officer were expert in the matter of enquiry and no scope was given to him for cross-examination of the handwriting expert by engaging an handwriting expert in this respect, by him and as such, the order of his dismissal is not sustainable and submission of the charge sheet and initiation of the criminal case against him by the department are illegal, as the bank authority had assured him of not taking of any action, in case of deposit of the misused amount and due to such inducement, he deposited the amount. The workman has prayed for his reinstatement in service with continuity of service, back wages and other consequential benefits.

The workman by way of amendment of the statement of claim has pleaded that he was acquitted in the criminal case by the Judicial Magistrate First Class vide judgment dated 27-12-2007 and in view of such acquittal, the departmental enquiry on the same charges is unsustainable in the eye of law.

4. The management refuting the allegations, in its written statement has pleaded inter-alia that the workman was working in Sangli Bank, Dharampeth Branch, Nagpur after his appointment in the year 1979 and while discharging his duties in the said branch, during the year 1992-93, the workman committed certain fraudulent acts involving embezzlement of fund of the bank to the tune of Rs. 1.02 lakhs and as the workman was known to various customers, taking undue advantage of his position, he misappropriated the funds of the customers by adopting various modus operandi, such as, accepting funds from customers for depositing in their accounts and not crediting the same with the branch, but making fake entries in the pass books of the customers, showing the amounts to have been deposited in their accounts and also withdrawing money from the accounts of the customers by forging their signatures and also by other ways and as such, the workman was put under suspension and domestic enquiry was ordered and in the domestic enquiry, every opportunity was given to the workman to defend himself and the

principles of natural justice were observed by the Inquiry Officer and even the domestic enquiry was kept in abeyance for one year, as per the request of the workman, on the ground of pendency of the criminal case against him, even though there was no bar to conduct the departmental enquiry simultaneously along with the criminal case and the workman had been given opportunity to cross-examine the management witnesses and to lead evidence from his side and as the charges leveled against him were found to have been proved, the workman was dismissed from service on 29-8-98 and the workman was never prevailed upon by the bank authorities to deposit the amount misused by him and when the incident of fraud was unearthed, the workman voluntarily admitted his misdeeds and also agreed to make the loss good by depositing the money towards the amount fraudulently withdrawn by him and as the amount was recovered from the workman, there was no financial loss to the bank and the authority of the bank had never assured the workman of not taking any action against him and the submission made by the workman is after thought and far from truth and the Inquiry Officer was an independent person and he conducted the enquiry properly and the workman participated in the enquiry without raising any objection or allegation against the Inquiry Officer of his being biased and the findings of the Inquiry Officer are based on the materials on record and the workman had never asked for permission to take the assistance of any lawyer or an expert to defend him or to cross-examine the handwriting expert and copies of the day-to-day's proceedings of the enquiry were supplied to the workman along with the copies of the exhibits and the Disciplinary Authority while imposing the punishment went through the record and passed order of dismissal against him. It is also pleaded by the management that the departmental enquiry was initiated as per the provision if Bipartite Settlement applicable to the bank staff and there is no prohibition for initiation of a departmental proceeding against a delinquent employee, even during the pendency of a criminal case against him and the scope of the criminal case and the departmental enquiry are totally different and as such, both of them cannot be interlinked.

5. It is necessary to mention here that by the order, passed by the Reserve Bank of India vide DBOD No. PSBI 0268/1601128/2006-07 dated 18-4-2007, the Sangli Bank Ltd. was amalgamated with the "ICICI Bank" with effect from 19-4-2007 and in view of the such merger, the counsel for the bank filed an application intimating the Court to amend the cause title by adding "ICICI Bank" in place of "Sangli Bank Ltd." and accordingly, order was passed on 21-8-2008 to add the ICICI Bank as a party in the case instead of Sangli Bank Ltd.

6. As this is a case of dismissal from service of the workman after holding of a domestic inquiry, the question of the validity of the enquiry was taken as a preliminary issue for consideration and by order dated 28-10-2010, the

enquiry was held to be valid and proper and by observing the principles of natural justice.

7. In the written notes of arguments, it has been submitted by the learned advocate for the workman that the workman came to be dismissed by an order dated 29-8-1998 and the departmental appeal preferred by him was also dismissed and the Bank prevailed upon the workman to deposit the amount alleged to be misused by him and in the charge sheet, the Bank has alleged that an amount of Rs. 1,01,890 was misappropriated by the workman, where as in the police complaint dated 29-11-1993, the Bank had alleged about misappropriation of an amount of Rs. 1,13,425, where as the Bank forced the workman to pay back Rs. 64,900 and from the same, it can be said that the Bank itself is in confusion about the amount of misappropriation and the Bank after receipt of an amount of Rs. 64,900 had assured the workman that there would be no further recovery and in view of various discrepancies and anomaly, the misconduct as alleged stands negative and in the enquiry, material witnesses, such as, Mr. Bhalekar and Mr. Patki and the customers were not examined and as such, the proceeding of the enquiry was an eye wash and the workman has been made a scape goat and when police could not proceed in the matter, as nothing could be found incriminating against the workman, to avoid that situation, the party no. 1 took shelter of initiation of the disciplinary proceedings and the party no. 1 did not take any action against the passing officers/supervisors, who failed to discharge their duties even though, they were equally responsible to face the action and as such, it can be held that this is a case of discrimination and the Bank failed to produce the original records including the report of the handwriting expert before the JMFC, Nagpur in RCC no. 51 of 2000 and the Bank willfully concealed those original documents from the JMFC Nagpur and the enquiry officer has not properly, analyzed the documentary evidence and erroneously concluded the workman responsible for the misconduct as alleged in the charge sheet and as the workman was acquitted in the criminal case initiated against him, the workman should not have been proceeded with the departmental enquiry and the departmental enquiry is barred. In support of such contentions, reliance has been placed on the decisions reported in 2006 (Supp) Bom. C. R. 345 (Prabhu Nagnath Surve Vs. IBP Co. Ltd.) and 2007 (5) Bom. C. R. 656 (Nagpur Bench) (Ramdas Ganpatrao Satpute Vs. Ballarpur Industries Ltd.).

8. On the other hand, it is submitted by the learned advocate for the party no. 1 in the written notes of argument that the workman was charge sheeted on the allegation of committing of various irregularities, while discharging his official duties, by manipulating the books of accounts and misused of bank funds and an enquiry was instituted against him to enquire into the charges and from the evidence on record, it was found that the workman was alone guilty of the misconducts and a police complaint

was lodged against him and for a period of one year, the enquiry was kept in abeyance between 28-2-1994 to 2-11-1995, as per the provisions of clause 19(2) of Bi-partite settlement and thereafter, the enquiry proceeded on its merit and witnesses including handwriting expert were examined and documents were exhibited and the enquiry officer gave his findings basing on the evidence adduced in the departmental proceeding and held the charges to have been proved against the workman and the workman was rightly dismissed and the workman did not enter into the box to give evidence, in support of his claims and did not adduce any evidence in his defence and the findings of the enquiry officer are not perverse and the workman is found guilty of indulging in fraudulent transaction and ignoring the prescribed rules and as such, he is liable for deterrent punishment and the very purpose of imposing punishment to the guilty is to maintain the discipline in the institution and as such, the punishment imposed against the workman is proper and the workman had not agitated any ground that as the criminal court had exonerated him he should be reinstated in service and as such, the submission in this regard cannot be entertained. In support of the submission reliance was placed on the decision reported in 2010(6) Mh. L. J. page 7 (UPSRT Corpn. Vs. Suresh Chand Sharma).

9. Perused the record including the documents and proceedings of the departmental enquiry, the pleadings of the parties and the written notes of arguments. First of all, I will take off the contention raised regarding the acquittal of the workman in the criminal case. In the decision reported in 2007(5) Bom. C. R. 565 (Supra), on which reliance has been placed by the learned advocate for the workman, the Hon'ble Court have held that, "if evidence led in criminal case as well as in domestic enquiry is one and same on which criminal acquitted deagent then it will be unjust and oppressive to hold him liable. But if evidence in two is different in domestic enquiry than what led in criminal court, it is open for labour court to come to a different conclusion. Approach of a criminal court and a domestic enquiry are all together distinct and different as and result in enquiry is removal from service where as in a criminal case it can end in imprisonment. Decisions clearly lay down that criminal court findings are not necessarily binding on labour court". On perusal of the documents on record it is found that the evidence led in the criminal case and in the domestic enquiry was not one and the same and as such, there is no force in the contention that due to the acquittal of the workman in the criminal case, the departmental proceeding was barred and the party No. 1 should not have proceeded with the departmental enquiry and the punishment imposed is not proper.

10. So far the perversity of the findings of the enquiry officer is concerned, after going through the proceedings of the departmental enquiry and the evidence adduced in

the enquiry, it is found that the enquiry officer has analyzed the evidence in a rational way and his findings are based on the evidence on record and cogent reasons have been assigned in support of such findings. It is also found from the documents and evidence on record that the workman had admitted about commission of the misconducts as alleged in the charge sheet in writing and that he was responsible for such misconduct. There is no legal evidence on record that the Bank prevailed upon the workman to admit the guilt and to deposit the amount misappropriated by him. Hence, I find that the findings of the enquiry officer are not perverted. The contentions raised in this regard by the learned advocate for the workman fail.

11. So far the imposition of the punishment of dismissal from service against the workman is concerned, it is well settled that the jurisdiction of the Tribunal to interfere with the disciplinary matters for punishment cannot be equated with an appellate jurisdiction. The Tribunal cannot interfere with the findings of the Enquiry Officer or Competent Authority where they are not arbitrary or utterly perverted. It is also settled that court or Tribunal cannot interfere with discretion exercise by Competent Authority in imposition of punishment, unless the same suffers from illegality or procedural irregularity of material nature or punishment is shockingly disproportionate.

In the present case, the workman held a position of trust where honesty and integrity were inbuilt requirements of functioning and therefore the matter required to be dealt with firm hands and not leniently. The workman was an officer of the Bank and in banking business, absolute devotion, diligence, integrity and honesty need to be preserved by every Bank employee and in particular the Bank officer, so that the confidence of the public/depositors is not impaired. Therefore, when a Bank officer commits misconducts for his personal ends and against the interest of the bank and the depositors, he must be dealt with iron hands. In this case, the charges of serious misconducts have been proved against the workman in a duly conducted departmental enquiry. He was a Bank officer. However, he betrayed the trust reposed upon him, so taking into consideration the entire facts and circumstances of the case and the serious misconduct of misappropriation of money by the workman, it cannot be said that the punishment imposed against him is shockingly disproportionate. Hence, there is no scope to interfere with the punishment imposed against the workman. Hence, it is ordered :

ORDER

The action of the Managing Director, Sangli Bank Ltd., Sangli in dismissing Shri Ravindra Singh Gaur, Ex-Clerk w.e.f. 29-8-1998 is legal and justified. The workman is not entitled to any relief.

J. P. CHAND, Presiding Officer

नई दिल्ली, 30 अगस्त, 2011

का.आ. 2639.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूरसंचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या सी जी आई टी/एल सी/आर/142/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-8-2011 को प्राप्त हुआ था।

[सं. एल-40012/1/1998-आई आर (डी यू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 30th August, 2011

S.O. 2639.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/142/98) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 30-8-2011.

[No. L-40012/1/1998-IR (DU)]
JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/142/98

Shri Mohd. Shakir Hasan, Presiding Officer

Shri Girdharilal,
S/o Devi Singh,
Vill. and P.O. Jabdiya Bil,
Distt. Shajapur

... Workman

Vs.

Chief General Manager,
Deptt. of Telecommunication,
Hoshangabad Road,
MP Circle,
Bhopal

... Management

AWARD

Passed on this 19th day of August, 2011

1. The Government of India, Ministry of Labour vide its Notification No. L-40012/1/1998-IR(DU) dated 10-7-98 has referred the following dispute for adjudication by this tribunal :

“Whether the action of the management of Chief General Manager Telecommunication in terminating

Shri Girdharilal, S/o. Devi Singh w.e.f. December 1989 is justified ? If not, to what relief the workman is entitled for ?”

2. The case of the workman in short is that he was working with the management from 1-5-87 to 30-9-87 and again from January 1988 to December 1989 on Muster Roll under AE(RE) Bhopal. Thereafter he was not given any work and was terminated in December 1989 illegally without giving any notice. It is stated that he had already worked more than 240 days in a calendar year. Similarly situated other employees were regularized by the management. It is submitted that the reference be answered in favour of the workman.

3. The management appeared and filed Written Statement by way of reply. The case of the management, inter alia, is that the alleged workman was never appointed by the management and he had never worked and as such the question of termination does not arise. It is submitted that the reference be answered in favour of the management.

4. The workman subsequently became absent and did not file any evidence. Lastly the reference proceeded ex parte against the workman on 7-1-2011.

5. On the basis of the pleadings of both the parties the following issues are framed :

I. Whether the action of the management in terminating the so called workman w.e.f. December 1989 is justified ?

II. To what relief the workman is entitled ?

6. Issue No. I

The management has examined only one witness. The management witness Shri Bhagchand Joshi is Sub-Divisional Engineer (Legal) in the office of T.D.M., Shajapur. He has stated that the workman was never engaged by the management. His evidence is un rebutted. There is no reason to disbelieve his evidence. His evidence clearly shows that the question of termination by the management does not arise when he was not engaged. Thus this issue is decided in favour of the management.

7. Issue No. II

On the basis of the discussion made above, it is clear that the workman is not entitled to any relief. Accordingly the reference is answered.

8. In the result, the award is passed without any costs.

9. Let the copies of the award be sent to the Government of India, Ministry of Labour and Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 30 अगस्त, 2011

का.आ. 2640.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दक्षिण रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चेन्नै के पंचाट (संदर्भ संख्या 416/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-8-2011 को प्राप्त हुआ था।

[सं. एल-41012/90/1994-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 30th August, 2011

S.O. 2640.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 416/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Chennai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Southern Railway and their workman, which was received by the Central Government on 26-8-2011.

[No. L-41012/90/1994-IR (B-I)]

RAMESH SINGH, Desk officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
CHENNAI**

Tuesday the 16th August, 2011

Present : A. N. JANARDANAN, Presiding Officer

INDUSTRIAL DISPUTE NO. 416/2001

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Southern Railway and their Workman).

BETWEEN

Sri P. Kulasekaran : 1st Party/Petitioner

Vs.

The General Manager : 2nd Party/Respondent
Southern Railway,
Park Town,
Chennai-600003

APPEARANCE:

For the 1st Party/Petitioner : M/s A. K. Rajeshwari
Associates,
Advocate

For the 2nd Party/Management : M/s P. Srinivasan,
Advocate

AWARD

The Central Government, Ministry of Labour vide its Order No. L-41012/90/1994-IR(B-I) dated 19-7-1995 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is :

"Whether the action of the management of Southern Railway, Madras in terminating the services of Sri Kulasekaran from 21-12-1976 in violation of Section-25F of the ID Act, 1947 is just, proper and legal? If not to what relief is the workman is entitled for?"

2. After the receipt of Industrial Dispute on transfer from Tamil Nadu Industrial Tribunal where it had been taken on file as ID 112/1996 as per the order of the Ministry of Labour this Tribunal numbered it as ID 416/2001 and issued notices to both sides. Both sides had entered appearance through their respective counsel and filed their Claim and Counter Statement as the case may be. As per Award dated 16-7-2001 of my learned predecessor it was held that the petitioner is not entitled to any relief. As per order dated 5-4-2011 in WP No. 9510 of 2003 preferred against the impugned award of this Tribunal of the High Court, Madras the award was set aside remitting the ID granting liberty to the petitioner to file additional documents within a period of 8 weeks and sufficient time to the Respondent to file additional counter statement against additional documents sought to be filed by the petitioner and directing to dispose of the ID within 6 weeks thereafter.

3. The Claim Statement averments in brief are as follows :

Petitioner, Kulasekaran was engaged as Casual Labourer under the control of Inspector of Works, Tambaram on 4-11-1975. He was a Daily Rated Casual Labour and was engaged only on need basis. Since his service was found unsatisfactory he was stopped from service from 21-12-1976. The petitioner was not conferred with temporary status. He was not issued with the notice of retrenchment or notice pay or any retrenchment compensation under Section-25F of the ID Act. It is a contravention of Section-25N and the retrenchment itself is *ab-initio void*. The petitioner filed OS No. 86/1977 in City Civil Court, Madras for declaration that retrenchment was illegal and void and to reinstate him in service with all benefits. ID Act has been made applicable to the workers of Railway by virtue of 149(6) of the IREC and IREM. Since the service rules were violated petitioner filed the suit. The learned Sub-Judge ordered that the petitioner should have raised an ID. In appeal as AS 297/82 5th Additional Sub-Judge City Civil Court, Madras found that it was a case of illegal retrenchment from service against Section-25F of the ID Act but dismissed the appeal directing to seek remedy by

raising an ID. The petitioner had worked for more than 240 days. The retrenchment being illegal, the petitioner is deemed to be continuing in service. There is no severance of relationship of Master and Servant in the eyes of law. His juniors like Ponnusamy, Mani, Arasappan and Elumalai were made permanent drawing a salary of Rs. 4,000 per month. Petitioner was drawing a salary of Rs. 234 per month when retrenched. Hence the claim for reinstatement with all benefits.

4. The counter Statement averments briefly read as follows :

The petitioner was engaged at Tambaram only on 4-11-1975 and not on 21-10-1975. He was not continuously engaged. He has been stopped several times and has been re-engaged as and when required. Finding his work unsatisfactory he was stopped from service w.e.f. 21-12-1976, which does not attract Section-25F of the ID Act since he had not put in 240 days of continuous service but had only rendered 267 days of total service which was not continuous. Petitioner was stopped from service because he was engaged only as Daily Rated Casual Labour. He had not attained temporary status. It is denied that he was retrenched. There never existed Master-Servant relationship. He cannot compare himself with erstwhile juniors who attained temporary status and stand absorbed permanently by reason of having put in the required number of days of continuous service. He was stopped from service due to his unsatisfactory performance not amounting to retrenchment. He is not entitled to any remedy under the ID Act.

5. The averments in the Additional Counter dated 22-7-2011 of the respondent bereft of unnecessary details are as follows :

As per the xerox copy of the Casual Labour Card purported to have been signed by the Inspector of Works (Special Works), Southern Railway petitioner seemed to have been engaged in 1974 and not from 21-9-1974 to 28-10-1975. The authenticity of xerox copies of documents relied on by the petitioner is not known at this distant time. There are discrepancies with regard to LTI Numbers in the Attendance Register and Labour Card. Sundays as seen to have been taken into account to calculate the number of days worked even with which, petitioner is seen to have worked continuously for 30 days. He was absent on several days, due to which he could not get 31 days in any month between 21-12-1975 to 20-12-1976. He has not put in continuous service of 240 days. He was stopped from service for unsatisfactory performance which is not in dispute. He has also admitted in the box as WW1 of that fact. As rightly held in the award dated

16-7-2001 by this Tribunal he is not entitled to any relief for having not completed 240 days of continuous service and also for the reason that he was stopped for want of satisfactory work. As held by the Apex Court in DIGWADIH COLLIERY Vs. THEIR WORKMEN (AIR-1966-75) "*continuous service stipulated must be during the 12 calendar months preceding the date with reference to which calculation is to be made*". The claim is to be dismissed.

6. After remand WW1 already examined was recalled and further examined in Chief and Cross and Ex. W4 was also marked over and above Ex. W1 to Ex. W3 marked previously. No further evidence was adduced on behalf of the respondent.

7. Points for consideration are :

- (i) Whether the termination from service of Sri P. Kulasekaran in violation of Section-25F of the ID Act is just, proper and legal ?
- (ii) To what relief the concerned workman is entitled ?

Points (i) and (ii)

8. Heard both sides and perused the evidence, documents and records. It is argued on behalf of the petitioner that as per Ex.W4-Register it is seen that the petitioner worked for 240 days. There is no evidence to prove unsatisfactory performance of the petitioner. His juniors in service standing regularized, there is violation of the mandatory requirement of the last come first go. The Respondent has not been ready or able to produce records in rebuttal. The ID is submitted for a reasonable award. The petitioner is to be reinstated with back wages.

9. On behalf of the Respondent it was argued that Ex. W4, which is in relation to a period from 21-10-1975 to 20-12-1976 shows petitioner's engagement only under Inspector of Works at Tambaram. From Ex.W4 seal and signature of the attesting signatory is not clearly decipherable. Ex.W4 which is only a xerox copy lacks in credibility and reliability and will not reveal well the total number of days worked basing which rendition of the statutory period for reckoning of continuous service for the blossoming of permanent right cannot be held substantiated. That the petitioner's performance was unsatisfactory is not disputed. There is no retrenchment of the petitioner. After 35 years records are not possible of being produced to rebut the case of the petitioner since no records are to be preserved over such a long period.

10. Reliance was placed by the learned counsel for the petitioner on the rulings of the Supreme Court in H.D. SINGH Vs. RESERVE BANK OF INDIA AND OTHERS (1985-4-SCC-201) wherein it approves duty of continuous period of more than 240 days in a year is inclusive of Sundays and other paid holidays.

11. The crucial question for consideration is whether petitioner has put in 240 days of continuous service within 12 calendar months preceding the date of his termination. Ex. W4-True extract of muster roll during the relevant period showing the number of days of attendance put in by the petitioner from 21-10-1975 to 21-11-1976 shows the engagement of the petitioner for more than 240 days continuously. As held in the above decision of the Apex Court in the matter of reckoning of 240 days continuous service Sundays and other paid holidays are also possible of being included which adds strength to hold that at any cost the petitioner could be held to have been engaged continuously for more than 240 days during 12 calendar months preceding his termination. The challenge against Ex. W4 as being not decipherable in regard to the seal and signature of the signatory, that the same cannot be safely relied on to favour a finding for the petitioner that at this distance of time after a lapse of 35 years no records in relation to the dispute maintained by the Management were to have been preserved for being filed in rebuttal of or to disprove the case of the petitioner is only to be negative. That Ex. W4 is a xerox copy from which the seal and signature of the signatory are not clearly decipherable as being Inspector of Works (Special Works), Southern Railway, Madras and that there cannot be any credibility and reliability to the document to disclose the total number of days worked are only to be rejected as being not true, I am fortified in holding that at this distance of time after having agitated the issue by filing Civil Suit and thereafter in the Labour Court and at the High Court wherefrom an order of remand is granted to the petitioner to file additional documents to substantiate his contention. The very record which was sought to be presented before the higher court for the first time being disallowed for the same reason viz. first time to test the validity of the impugned award against the petitioner, the said material managed to be procured by the petitioner, later, still if it is with some worth in it, with some evidence is to be accepted and relied on as a material logically probative to substantiate the contention sought to be proved by that. Therefore, though Ex. W4 is a xerox copy nothing is shown to discredit it with reference to the contents which it unfold showing none other than P. Kulasekaran, the petitioner himself as the person having nexus with the document recitals. While the Respondent has a contention that he was terminated from service for unsatisfactory performance of work the course adopted by the Management would not have been to resort to the procedure followed by it which is impugned herein by terminating the service of the petitioner all on a sudden without notice or notice pay or compensation as under Section-25F of the ID Act. When for unsatisfactory performance of work it is for the Management to initiate disciplinary proceedings by issuing memo and taking

his explanation which if not satisfactory a formal charge was to have been framed, put to his notice, obtaining his explanation and an enquiry held without which he is not liable to be terminated. That the petitioner admitted that his work was not satisfactory and it was for that reason that he was being terminated from service is a contention without any sound edifice in the respective pleading or evidence of the Respondent. Even if there is such an admission it does not mean that the enquiry is not to follow. The Respondent cannot shirk the responsibility of producing evidence to rebut the case of the petitioner once the petitioner has discharged the initial burden of proving that he has worked continuously for more than 240 days in 12 calendar months as held in NOVARTIS INDIA LTD. Vs. STATE OF WEST BENGAL AND OTHERS (CDJ-2008-SC-2046). A contention that since the records are not possible of being produced since not preserved for over 35 years cannot validly be maintained in view of the fact that a dispute in relation to the employment of the petitioner has been pending inter se the Management in various forums all throughout the period during which there has had to be maintained relevant records. For these reasons the contentions of the petitioner are only to be upheld and there need not be any hesitation to hold that the petitioner's termination from service is not valid and the same is accordingly set aside. He is ordered to be reinstated into service forthwith with continuity of service and all attendant benefits and also with 25% back wages from the date of termination.

12. The reference is answered accordingly.

A. N. JANARDANAN, Presiding Officer

Witness Examined

For the 1st Party/Petitioner : WW1. Sri P. Kulasekaran

For the 2nd Party/Management : None

Documents Marked on the petitioner's side

Ex. No.	Date	Description
Ex.W1	15-03-1980	Copy of the Judgment in O.S. No. 8601 of 1977
Ex.W2	04-02-1983	Copy of the decree in A.S. 297 of 1982
Ex.W3	23-08-1990	Copy of the Order in S.A. No. 1358 of 1986
Ex.W4	—	Xerox copy of the Muster Roll and Casual Labour Card

On the Management's side

Ex. No.	Date	Description
	Nil	

नई दिल्ली, 30 अगस्त, 2011

का. आ. 2641.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मध्य रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ सं. 34/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-8-2011 को प्राप्त हुआ था।

[सं. एल-41012/172/95-आई आर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 30th August, 2011

S.O. 2641.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 34/97) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure in the industrial dispute between the employers in relation to the management of Central Railway and their workman, which was received by the Central Government on 26-8-2011.

[No. L-41012/172/95-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/34/97

Shri Mohd. Shakir Hasan, Presiding Officer.

Shri Daulat Singh,
S/o Shri Kamod Singh,
RBI/164, Khajanchibagh,
Main Station Road,
Bhopal

... Workman

Versus

Divisional Railway Manager,
Central Railway,
Bhopal

... Management

AWARD

Passed on this 16th day of August, 2011

1. The Government of India, Ministry of Labour vide its Notification No. L-41012/172/95-IR (B-I) dated 7-2-97 has referred the following dispute for adjudication by this Tribunal :

“Whether the action of the management of DRM, Central Railway, Bhopal in terminating the services of Shri Daulat Singh, S/o Shri Kamod Singh w.e.f. 13-1-92 is legal and justified? If not to what relief the workman is entitled to”

2. The workman did not appear inspite of proper service. The then Tribunal proceeded the reference ex parte against the workman on 26-5-2005.

3. The management appeared and stated that the workman failed to submit the statement of claim after lapse of about 7 years and therefore, it seems that the workman has no claim. The management also has not filed Written Statement.

4. Considering the above aspect, I find that this is a case of no claim of the workman.

5. In the result no dispute award is passed without any costs.

6. Let the copies of the award be sent to the Government of India, Ministry of Labour and Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 30 अगस्त, 2011

का. आ. 2642.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चैन्नई के पंचाट (संदर्भ सं. 82/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-8-2011 को प्राप्त हुआ था।

[सं. एल-12011/35/2009-आई आर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 30th August, 2011

S.O. 2642.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 82/2009) of the Central Government Industrial Tribunal-cum-Labour Court, Chennai now as shown in the Annexure in the industrial dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 30-8-2011.

[No. L-12011/35/2009-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Wednesday, the 24th August, 2011

PRESENT:

A. N. Janardanan, Presiding Officer

Industrial Dispute No. 82/2009

[In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of State Bank of India and their Workmen]

BETWEEN:

The Zonal Secretary,
State Bank of India Ambedkar Trade Union,
No. 2, Dr. Ambedkar Road, Zonal Office,
Madurai-3 . . . 1st Party/Petitioner Union

Versus

The Deputy General Manager,
State Bank of India Zonal Office,
Maduram Complex, Dr. Ambedkar Road,
Madurai-2 . . . 2nd Party/Respondent

APPEARANCES:

For the 1st Party/Petitioner : M/s. Balan Haridas,
Union R. Kamatchi Sundaresan,
Advocates

For the 2nd Party/ : Sri V. R. Gopalarathnam,
Management Advocate

AWARD

The Central Government, Ministry of Labour vide its Order No. L-12011/35/2009-IR (B-I) dated 15-10-2009 referred the following industrial dispute to this Tribunal for adjudication.

The schedule mentioned in that order is :

“Whether the action of the management of State Bank of India, Madurai, Zonal Office in imposing the punishment of stoppage of increment for 10 years w.e.f. 14-2-2006 to Sri A. Senthil Kumar, Messenger, Rajapalayam Branch as demanded by the State Bank of India Ambedkar Union, is justified or not ? If not, to what relief, the workman is entitled to ?”

2. After the receipt of industrial dispute, this Tribunal has numbered it as ID 82/2009 and issued notices to both sides. Both sides entered appearance through their respective counsel and filed their Claim and Counter Statement as the case may be.

3. The Claim Statement contentions briefly read as follows :

The Respondent/Bank had imposed punishment of stoppage of increment for 10 years on Senthil Kumar, Messenger, Rajapalayam Branch on 14-2-2006 confirmed by Appellate Authority on 17-7-2006. The workman had joined the service on 28-5-1994. An enquiry was held on 16-10-2003. The Branch Manager instructed the workman to supply tea/cafee and snacks which he complied with at 11.00 AM. While so, another Messenger Prabhakaran quarreled with him saying that the latter should not go inside the cabin and the former closed the door of the cabin forcefully. The workman complained to the Branch Manager. However, the other workman Prabhakaran

apprehending that the concerned workman being manhandled by him would complain against him gave false complaint against the workman as if bleeding injury was caused in his neck. Bank ignored the complaint of the workman and initiated disciplinary proceedings against him on Prabhakaran's complaint. Memo was issued on 29-11-2003 alleging the workman to have had been defiant and unruly towards Prabhakaran resulting in clash causing bleeding injury to Prabhakaran. The workman denied the allegation in his reply. Bank refused continuance of M. Rajarathinam as Defence Representative since he was suspended for which there is no bar. The new Defence Representative for various reasons could not defeat the charges effectively. This caused prejudice to him and enquiry is in violation of natural justice. The request to have M. Rajarathinam who was present in the assembled enquiry being denied arbitrarily his evidence is made to be suppressed. The Enquiry Officer acted in a biased manner. Four witnesses were examined on the Management's side and three on the petitioner's side. The enquiry was not fair. The finding of guilty dated 16-11-2003 contrary to evidence and without legal evidence was perverse. On the enquiry report also holding past record as not good the impugned punishment was imposed. It is Prabhakaran who tried to assault the workman. Only the workman was charge sheeted. Prabhakaran prevailed upon the Management being member of a majority union. There is hostile discrimination against the workman. There was no bleeding injury. No Police Complaint was filed. Prabhakaran came for work the next day also. A mountain was made out of a mole just with a vindictive attitude. Charge is not proved and the impugned punishment cannot be imposed. When the present charge is not proved there is no question of taking into account previous punishment for imposition of the present punishment. The punishment is so excessive and grossly disproportionate as to be interfered with under Section 11A of the ID Act. The same is to be set aside and arrears of salary paid to him.

4. Counter Statement contentions briefly read as follows :

On 16-10-2003 during an ongoing confidential enquiry proceedings Prabhakaran, Messenger had instructions from the Branch Manager not to allow anybody inside the cabin and the workman, Senthil Kumar had instructions not to enter the cabin. But the workman at 01.30 PM tried to enter cabin which was prevented by Prabhakaran. The workman caused bleeding injury on the neck of Prabhakaran. a gross misconduct as per Para 5(c) of Memorandum of Settlement dated 10-4-2002. Workman had not been

instructed to supply tea. Rajarathinam belonging to Officer category could not act as Defence Representative as per guidelines of IBA and the same was the reason for refusal for his continuance as Defence Representative. No prejudice has been caused to the workman. There is no violation of principles of natural justice. After change of Defence Representative petitioner could have asked for examination of M. Rajarathinam which was not done. Petitioner would have got Rajarathinam examined as his witness as well. The finding is not perverse. There is no bias in the enquiry. The allegations have been proved. The punishment is commensurate to the gravity of the offence. Section 11A of ID Act is attracted only with respect to the order of discharge/dismissal. The claim is only to be dismissed.

5. Points for consideration are :

- (i) Whether the punishment of stoppage of increment for 10 years is justified or not ?
- (ii) To what relief the concerned workman is entitled ?

6. The evidence consists of Ex. W1 to Ex. W17 marked on consent on the petitioner's side and Ex. M1 to Ex. M12 marked on consent on the Respondent's side with no testimony adduced by either party.

Points (i) & (ii) :

7. Heard both sides. Perused the records, documents and written arguments produced on either side. Both sides keenly argued in support of their case in their respective pleadings canvassing support from their documents exhibited. Going by the report of the enquiry and proceedings thereof it is hardly possible to find any substance in the contentions raised on behalf of the workman. There is no bias in the enquiry as alleged by the petitioner. The finding is not perverse. The misconduct is proved. There is no hostile discrimination against the workman. Enquiry held has been fair and proper and the finding is also just and proper.

8. Now the question is whether the punishment imposed viz. Stoppage of increment for 10 years is justified or not. While the settled position in that Section 11A of the ID Act comes into operation only in a case of termination from service by discharge, dismissal etc. and not in any other case in the decision of the High Court of Gujarat in Gujarat State Road Transport Vs. D.V. Chowhan (2006-3-LLJ-196) it is held that dehors Section 11A of the ID Act the legality and propriety of punishment had to be examined by the Industrial Tribunal/Labour Court while adjudicating the Industrial Dispute referred to it for adjudication and further held that be it punishment of dismissal or discharge or any other kind of punishment Labour Court/Industrial Tribunal is bound to adjudicate upon the legality/propriety

of punishment order referred in the dispute and pronounce upon it. The ruling throws light to the fact that even in a case of punishment not of dismissal, discharge, etc. the Tribunal is clothed with authority to examine the propriety and legality of the punishment. In other words it is permitted to consider the propriety of the punishment by going into the aspect as to whether the punishment has been grossly disproportionate to the gravity of the misconduct though punishment impugned herein is not one of dismissal, discharge, etc. The very fact of stoppage of increment for 10 years on the face of it looks shocking and therefore appears to fall short of propriety though it cannot be said to be lacking in legality. The discretion for the decision appears to be not judicious or proper warranting interference with the punishment. Therefore the punishment of stoppage of increment for 10 years is to be reduced as one for 2 years w.e.f. 14-2-2006 and it is ordered accordingly. The petitioner is entitled to a relief as above and for the consequent payment of arrears of salary.

9. The reference is answered accordingly.

A. N. JANARDANAN, Presiding Officer

Witness Examine :

For the 1st Party/Petitioner : None
For the 2nd Party/Management : None

Documents Marked on the petitioner's side :

Ex. No.	Date	Description
Ex. W1	29-11-2003	Show Cause Notice
Ex. W2	17-10-2003	Reply to the Show Cause Notice
Ex. W3	1-3-2004	Charge Sheet
Ex. W4	3-5-2004	Enquiry Notice
Ex. W5	21-5-2004	Enquiry Officer Notice
Ex. W6	24-5-2004	Letter of the petitioner
Ex. W7	11-6-2004	Notice from Enquiry Officer
Ex. W8	10-8-2005	Letter from the petitioner
Ex. W9	12-8-2005	Notice from Enquiry Officer
Ex. W10	—	Enquiry Proceedings
Ex. W11	16-9-2005	Enquiry Report
Ex. W12	28-11-2005	Comments on the Enquiry Report
Ex. W13	14-2-2006	Order of the Disciplinary Authority

Ex. No.	Date	Description
Ex. W14	28-4-2006	Appeal preferred by the petitioner
Ex. W15	9-5-2006	Letter from the Appellate Authority
Ex. W16	17-7-2006	Order of the Appellate Authority
Ex. W17	—	Documents marked in the enquiry (total 7 documents)

On the Management's side :

Ex. No.	Date	Description
Ex. M1	1-3-2004	Charge Sheet
Ex. M2	—	Written brief by Presenting Officer
Ex. M3	5-11-2005	Written brief by defence representative
Ex. M4	16-11-2005	Enquiry Report
Ex. M5	28-11-2005	Comments of charged employee
Ex. M6	20-1-2006	Order of proposed punishment by Disciplinary Authority
Ex. M7	2-2-2006	Proceedings of personal hearing of Disciplinary Authority
Ex. M8	14-2-2006	Order of punishment by Disciplinary Authority
Ex. M9	28-4-2006	Appeal filed by the Charged Employee
Ex. M10	3-7-2006	Record of personal hearing given by Appellate Authority
Ex. M11	17-7-2006	Order of Appellate Authority
Ex. M12	24-6-2004	Enquiry Proceedings.

नई दिल्ली, 30 अगस्त, 2011

का. आ. 2643.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मध्य रेलवे के प्रबंधन के संबंध में निम्नलिखित नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. 92/02) को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-8-2011 को प्राप्त हुआ था।

[सं. एल-41012/132/1997-आई आर(बी-1)]
रमेश सिंह, डेस्क अधिकारी

New Delhi, the 30th August, 2011

S.O. 2643.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 92/02) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Railway and their workman, which was received by the Central Government on 26-8-2011.

[No. L-41012/132/1997-IR (B-I)]
RAMESH SINGH, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

No. CC/IT/LC/R/92/02

Shri Mohd. Shakir Hasan, Presiding Officer

Shri Gaya Prasad,
S/o Kotulal,
R/o Rly. Quarter Dhurjhari,
Post Gosalpur,
Tehsil Sihora,
Distt. Jabalpur

... Workman

Versus

The Divisional Railway Manager,
Central Railway,
Jabalpur

... Management

AWARD

Passed on this 8th day of August, 2011

1. The Government of India, Ministry of Labour vide its Notification No. L-41012/132/1997-IR (B-I) dated 5th June, 2002 has referred the following dispute for adjudication by this Tribunal :

“Whether the action of the management of DRM, Central Railway, Jabalpur in terminating the services of Shri Gaya Prasad S/o Shri Kodulal Kushwaha w.e.f. 1-7-1994 is justified? If not to what relief the concerned applicant is entitled?”

2. The workman did not appear inspite of proper notice. Lastly the then Tribunal proceeded exparte against the workman on 31-8-07.

3. The management appeared in the case. It is submitted that there is no claim of the workman as such it is submitted that the workman be directed to file better particular. Since the workman did not appear and raise dispute, as such it was directed to the management to file Written Statement. The management submitted that he has not to file any Written Statement. This clearly shows that this is a case of no dispute.

4. Considering the above aspect, I find that the workman does not raise any dispute. As such this is a case of no dispute. Accordingly the reference is answered.

5. In the result no dispute award is passed without any order to costs.

6. Let the copies of the award be sent to the Government of India, Ministry of Labour and Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 30 अगस्त, 2011

का. आ. 2644.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कस्टम विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कोलकाता के पंचाट (संदर्भ संख्या 42/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-8-2011 को प्राप्त हुआ था।

[सं. एल-42012/270/2003-आई आर(सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 30th August, 2011

S.O. 2644.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 42/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Kolkata, as shown in the Annexure, in the industrial dispute between the management of Custom Department, and their workman, which was received by the Central Government on 30-8-2011.

[No. L-42012/270/2003-IR (CM-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT KOLKATA

Reference No. 42 of 2004

PARTIES:

Employers in relation to the management of Custom Department

AND

Their Workman

PRESENT:

Mr. Justice Manik Mohan Sarkar, Presiding Officer

APPEARANCES:

On behalf of the Management : Mr. S. Dan, Advocate

On behalf of the Workman : None

State : West Bengal

Industry : Customs Deptt.

AWARD

Dated : 18th August, 2011

By Order No. L-42012/270/2003-IR (CM-II) dated 4-11-2004 the Government of India, Ministry of Labour in exercise of its powers under Section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the nine Security Guards (list enclosed) who were working at the Customs Housing Complex Haldia are entitled for their wages from Nov., 2002 to June, 2003 from the Customs Department or not ? If yes, to what relief they are entitled ?"

List of Security Guards

Sl. No.	Name
1.	Sumit Mondal
2.	Atanu Tewari
3.	Dilip Mondal
4.	Sunil Das
5.	Sankar Pramanik
6.	Ranjit Ponda
7.	Sankar Debnath
8.	Billya Patra
9.	Nimal Das

2. When the case is called out today, Mr. S. Dan, Ld. Advocate is present on behalf of the management but none is present on behalf of the workmen nor any step is taken on their behalf. On scrutiny of the record it is found that the matter was first fixed for evidence of the workmen on 2-1-2006 and since then not a single witness was produced from the side of the workmen union and it is evident from the order sheet that on all the dates the workmen union either prayed for adjournment or did not appear without step. In recent dates, it is found that after fresh notice on my assuming office of this Tribunal, workmen union once made appearance through its Learned Lawyer on 5-10-2010 and thereafter no appearance was made at all on its behalf. Adjournments were allowed suomoto by this Tribunal even in absence of the workmen union by way of last change, special chance etc. The conduct of the workmen union, thus shows that such union is least interested to get the present reference disposed of by producing evidence in respect of the claim of the workmen.

3. In such circumstances, this Tribunal has no alternative, but to take a view that the industrial dispute as raised by the workmen union at the initial stage of reference, perhaps faded out and at present there is no industrial dispute existing.

4. In such circumstances, I cannot permit the reference to be continued further and it is disposed of with a "No Dispute Award".

5. An Award is passed accordingly.

Dated, Kolkata,
The 18th August, 2011.

JUSTICE MANIK MOHAN SARKAR, Presiding Officer

नई दिल्ली, 30 अगस्त, 2011

का. आ. 2645.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.ई.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 104/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-8-2011 को प्राप्त हुआ था।

[सं. एल-22012/338/2000-आई आर (सी-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 30th August, 2011

S.O. 2645.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 104/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SECL, and their workman which was received by the Central Government on 30-8-2011.

[No. L-22012/338/2000-IR (C-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/104/2001

Shri Mohd. Shakir Hasan, Presiding Officer

The Secretary
Koyla Mazdoor Sabha (UTUC),
Duman Hill Colliery,
P.O. Duman Hill,
Distt. Korea (MP)

... Workman

Vs.

The Sub Area Manager,
Duman Hill Colliery of the SECL,
PO Duman Hill,
Distt. Korea (MP)

... Management

AWARD

Passed on this 9th day of August, 2011

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/338/2000-IR (C-II) dated

28-5-2001 has referred the following dispute for adjudication by this tribunal :

"Whether the action of the Sub Area Manager, Duman Hill Sub Area of SECL, At/PO Duman Hill Colliery Area of SECL, Distt. Korea Chhattisgarh in not providing employment on compassionate ground to Shri Moolchand, S/o Late Purushottam is legal and justified ? If not to what relief the workman is entitled to ?"

2. The case of the Union in short is that Purushottam died 13-10-1984 while he was on duty under the colliery. Moolchand, his son was in the womb at that time and his sister was minor. After becoming major, he filed an application for grant of compassionate appointment but he was not provided the employment on compassionate ground. Though there are several circulars for appointment on compassionate ground. On these grounds, it is submitted that reference be answered in his favour.

3. The management appeared and file Written Statement in the case. The case of the management, interalia, is that Late Purshottam was employed as a casual labour at Duman Hill Colliery who died on 13-10-1984. His service was not regularized and was not a permanent employee. Shri Moolchand Son of Late Purshottam raised dispute for appointment on compassionate ground. Shri Moolchand is dependent of casual employee as such he is not entitled to the benefit of the provision of National Coal Wage Agreement (in short NCWA). It is further stated that the dispute for appointment on compassionate ground is raised after the lapse of 15 years. It is also stated that Shri Moolchand is admittedly not member of the Union and therefore, the Union is not competent to raise dispute. On these grounds, it is submitted that the Union is not entitled to any relief.

4. On the grounds of the pleadings of the parties, the following issues are framed for adjudication :-

I. Whether the action of the management in not providing employment on compassionate ground to Shri Moolchand is legal and justified ?

II. To what relief the workman is entitled ?

5. Issue No. I

The Union/applicant adduced only documentary evidence which are admitted by the management. No oral evidence is examined inspite of several adjournment to produce witness for cross-examination. Lastly the reference proceeded ex-parte against the Union on 6-9-2010. However, the documentary evidences are to be examined in the case. Ex. W/1 is the Death Certificate of Purshottam, Loader, who was father of Shri Moolchand. It is filed to show that Purshottam died on 13-10-84 due to an accident in the mine on the same day. This fact is not denied

by the management. Exhibit W/2 is also a death certificate of the wife of the deceased Purshottam. Exhibit W/3 is the application filed by Shri Moolchand before Asstt. Labour Commissioner (Central), Shahdol whereby the applicant Shri Moolchand raised dispute for appointment on compassionate ground. Exhibit W/4 is the reply filed by the management before the Asstt. Labour Commissioner (C), Shahdol whereby the management denied the claim of the applicant. The said reply further shows that the deceased Purshottam was casual Tub Loader. The said fact is not denied by the Union.

6. According to the management, dependent of the casual employee who died during duty hours are not entitled for appointment on compassionate ground. The management has filed Annexure M/8 which shows that the deceased Purshottam was appointed as casual loader on 25-11-83 and he died on 13-10-84 i.e. he died less than a year. He was not regularized as he had not completed one year. The total 219 days he worked in the said mine. The management has filed clause 9.4.2 of the NCWA whereby the employment of one dependent of the worker who dies while in service is provided on compassionate ground. It is stated that this provision is for regular worker and he was casual employee and therefore the provision is not applicable. The management has also referred a decision passed by the Hon'ble High Court of MP at Jabalpur in M.P. 3698/87 Smt. Asha Devi Vrs. SECL, Chirimiri wherein the Hon'ble Court has held that :—

“Reply has been filed. The reply shows that the petitioner's husband himself was a Badli casual employee who had worked only for 109 days in all before he died. That being so, the petitioner is not entitled to get benefit of employment under the coal field agreement. We, therefore, are not in a position to grant any relief to the petitioner. The petitioner, however, shall be at liberty to apply for appointment in her own right and if she so makes an application for that purpose, the respondent may sympathetically consider that application, bearing in mind that the lady had lost her husband while he was in respondent's employment. The petition is disposed of.”

In this case also, the deceased was Badli/Casual employee and the Hon'ble Court held that the petitioner is not entitled to get benefit of employment. In this instant case, the applicant Moolchand appears to be not entitled for appointment on compassionate ground as his father was also casual loader. This issue is decided against the workman and in favour of the management.

7. Issue No. II

On the basis of the discussion made above, Shri Moolchand is not entitled to any relief. Accordingly, the reference is answered.

8. In the result, the award is passed without any order to costs.

9. Let the copies of the award be sent to the Government of India, Ministry of Labour and Employment as per rules.

MODH. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 30 अगस्त, 2011

का.आ. 2646.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार जवाहर नवोदय विद्यालय के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 117/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-08-2011 को प्राप्त हुआ था।

[सं. एल-42012/120/2001-आई आर (सीएम-II)]

डी. एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 30th August, 2011

S.O. 2646.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 117/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur, as shown in the Annexure, in the industrial dispute between the management of Jawahar Navodaya Vidyalaya, and their workmen, which was received by the Central Government on 30-08-2011.

[No. L-42012/120/2001-IR (CM-II)]

D.S.S. SRINIVASARAO, Desk Officer

ANNEXURE

BEFORE SHRI J. P. CHAND, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/117/2002

Party No. 1 : The Principal,
Jawahar Navodaya Vidhyalaya,
Navsari, Amravati, Maharashtra-
444602

Vs.

Party No. 2 : Shri Kamaldas G Netanrao,
C/o Shri Balasaheb Tasre, Mahatma
Phule Nagar, The. Navsari, Distt.
Amravati, Maharashtra

AWARD

(Dated : 18th August, 2011)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) (the “Act” in short), the Central Government has referred the industrial dispute between the employers, in relation to the

management of Jawahar Navodaya Vidhyalaya and their workman, Shri Kamaldas G. Netanrao, for adjudication, as per letter No. L-42012/120/2001-IR(CM-II) dated 09-05-2002, with the following Schedule :

“Whether the action of the management of Jawahar Navodaya Vidhyalaya, through its Principal, Navsari, Amravati in terminating the services of Shri Kamaldas G. Netanrao w.e.f. 31-05-2000 is legal and justified? If not, to what relief is the said workman entitled?”

2. Being noticed, the workman, Kamaldas G. Netanrao (“the workman” in short) filed the statement of claim and the management of Jawahar Navodaya Vidhyalaya, Navsari (“the party No. 1” in short) filed the written statement.

The case of the workman, as per the statement of claim is that he came to be appointed by party No. 1 as a watchman w.e.f. 01-09-1999 on daily wages basis of Rs. 25 per day and his duty hours were from 7.00 pm to 7.00 am and he worked continuously till 31-05-2000 i.e. for more than 240 days and the party No. 1 orally terminated his services w.e.f. 01-06-2000, without any valid reason and without following the proper process and procedure for the same and neither he was given one month’s notice nor he was paid one month’s wages, in lieu of notice nor any retrenchment compensation was paid to him and as such, the order of termination is bad in law and against the principles of natural justice and after termination of his services, the party No. 1 appointed two watchman and their services were made permanent, though they were juniors to him and he raised the dispute before the ALC (Central) Nagpur and as the conciliation failed, a failure report was submitted to the Central Government by the ALC, Nagpur and the Central Government referred this matter to this Tribunal for adjudication. The workman has prayed for reinstatement in service with continuity and full back wages.

3. The party no. 1 refuting the allegations made in the statement of claim has pleaded in the written statement inter alia that the workman was engaged for cleaning and cutting of grass in the campus from 01-12-1999 to April, 2000 and the workman all together worked only for 148 days and during the period of engagement, the workman was given free boarding in the mess of the school and at no point of time, any appointment order was issued in favour of the workman and there was no master and servant relationship between the parties and on completion of the work of cutting and cleaning of grass, the engagement of the workman was discontinued w.e.f. 30-04-2000 and the workman has no right to claim regularization and the workman had not completed 240 days of work in one calendar year and he was engaged on purely casual basis for doing a specific work and on completion of the said work, his engagement was no longer continued and as such, the workman is not entitled for any relief.

4. In support of their respective claims, parties have led oral evidence. The workman has examined himself as a witness in support of his case, whereas, one Gunwant, a teacher of the party No. 1 has been examined as a witness on behalf of party No. 1. The workman in his examination-in-chief, which is on affidavit, has reiterated the facts mentioned by him in the statement of claim. However, in his cross-examination, he has admitted that no appointment order was given to him and he was engaged on daily wages basis.

The witness for the party no. 1 has also reiterated the facts mentioned in the written statement, in his evidence. In the cross-examination, the witness for the party No. 1 has admitted that he was serving from June 2003 in Jawahar Navodaya Vidhyalaya and he has filed the affidavit on the basis of the record available with the management.

5. It was submitted by the learned advocate for the workman in written notes of argument that the workman worked from 01-01-1999 to 31-05-2000, i.e. for more than 240 days with party No. 1 and party No. 1 orally terminated his services on 01-06-2000, without compliance of the mandatory provisions of the Act and the witness examined on behalf of the party No. 1 was not sure of his own statements and as such, no reliance can be placed on the same and as the mandatory provisions were not complied with by party No. 1, the workman is entitled for reinstatement in service with continuity and full back wages.

Per contra, it was submitted by the learned advocate for the management that the workman was not given any order of appointment and no document has been filed by the workman in support of his case and the workman did not work for 240 days but he worked for only 148 days for specific work of cutting of grass from the campus of party No. 1 and after the work was over, he was not engaged further and as such, the workman is not entitled for any relief.

6. In this case, the workman has claimed that he worked for more than 240 days with party no. 1, but party no. 1 has denied such claim. It is well settled by the Hon’ble Apex Court in a number of decisions including the decision reported in AIR 2005 SC 2179 (Manager Reserve Bank of India Vs. S. Mani) that the initial burden of proof is on the workman that he had completed 240 days of service in the preceding 12 months of the date of the alleged termination of service and the onus of proof doesn’t shift to the employer nor is the burden of proof on the workman discharged, merely because employers fails to prove a defence and filing of affidavit of workman to the effect that he had worked for 240 days continuously or that he had made repeated representations or had raised demands for reinstatement, is not sufficient evidence that can discharge the said burden and filing of an affidavit is only his own statement in his favour and that cannot be regarded as

sufficient evidence for any court of Tribunal to come to the conclusion that a workman had, infact, worked for 240 days in a year.

In this case, the workman except filing of his affidavit in support of his claim has not filed any other evidence to substantiate his claim. Applying the principles enunciated by the Hon'ble Apex Court in the judgment mentioned above to the present case, it is found that the workman has not able to discharge the burden to show that he worked for 240 days with party no. 1 prior to 01-06-2000. In view of the failure of the workman to discharge the burden of proving that he worked for 240 days prior to 01-06-2000, the provisions of Section 25-F of the Act are not applicable. The workman is not entitled for any relief as claimed by him. Hence, it is ordered :

ORDER

The action of the management of Jawahar Navodaya Vidhyalaya, through its Principal, Navsari, Amravati in terminating the services of Shri Kamaldas G. Netanrao w.e.f. 31-05-2000 is legal and justified. The workman is not entitled for any relief.

J. P. CHAND, Presiding Officer

नई दिल्ली, 30 अगस्त, 2011

का.आ. 2647.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार डब्ल्यू.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 62/04) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-08-2011 को प्राप्त हुआ था।

[सं. एल-22012/299/2003-आई आर (सीएम-II)]

डी. एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 30th August, 2011

S.O. 2647.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 62/2004), of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur, as shown in the Annexure, in the industrial dispute between the management of Western Coalfields Limited, and their workman, which was received by the Central Government on 30-08-2011.

[No. L-22012/299/2003-IR (CM-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE SHRI J. P. CHAND, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/62/2004

Party No. 1 : The Sub Area Manager,
Ballarpur Sub-Area of WCL,
Post & Teh.-Ballarpur,
Distt. Chandrapur (M.S.)

Versus

Party No. 2 : Shri Bhanudas Rebbawar, Secretary
Lal Zanda Coal Mines Mazdoor
Union, (CITU), Subhash Nagar
Ward, Ballarpur, Post & Teh.-
Ballarpur, Chandrapur (M.S.)

AWARD

(Dated : 24th August, 2011)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of Ballarpur Sub Area of Western Coalfields Limited and their workman, Shri Bandi Rajanna Yenkat, for adjudication, as per letter No. L-22012/299/2003-IR (CM-II) dated 23-06-2004, with the following schedule :

"Whether the action of the management of Ballarpur Sub Area of Western Coalfields Limited in converting Sh. Bandi Rajanna Yenkat, Driller to Badli Worker vide order No. WCL/BA/Ballarpur U/G/H-SH-A/1948 dated 17-08-2000 and removing from service vide office order No. WCL/BA/Ballarpur U/G/H-22/1505 dated 13-10-2002 is legal and justified? If not, to what relief is the workman entitled?"

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement and accordingly, the workman, Shri Bandi Rajanna Yenkat, (the "workman" in short) filed the statement of claim through his union Lal Zanda Coal Mines Mazdoor Union (CITU), (the "union" in short) and the management of Ballarpur Sub Area of WCL (the "party No. 1" in short) filed the written statement..

3. The case of the workman is that he came to be appointed on 24-4-1979 with the Party No. 1, as a casual labour and subsequently he was appointed as a Driller and while working in the underground as a Driller, coal dust affected his health and he became a chronic patient and on 25-7-2000, a charge sheet was submitted against him on the allegation of unauthorized absence and a departmental enquiry was made against him and he attended the enquiry and produced all the necessary documents in support of his illness and explained properly about the reason of his absence to be on account of his illness, but the Inquiry Officer held the charge to have been proved against him beyond doubt and basing on such report, he was dismissed from service vide order dated 13/14-10-2002 and the order of dismissal is illegal and void and the punishment imposed against him is highly

disproportionate to the alleged misconduct. It is further pleaded by the workman that he was held guilty of unauthorized absence in the enquiry and therefore was demoted from Driller to a Badli worker vide order dated 17-8-2000 and such demotion was made by the Manager without the approval of the Competent Authority and as such, he was already punished for the misconduct of unauthorized absence and therefore, his dismissal from service is illegal, as because, a person cannot be punished twice for commission of one misconduct. The workman has prayed to set aside the order of dismissal and so also the order of demotion dated 17-8-2000 and for reinstatement in service in the original post of Driller.

4. The Party No. 1 has pleaded in its written statement inter-alia that the workman was appointed as a casual labour on 21-4-1979 at Ballarpur Colliery and his services were regularized as a Driller Mazdoor w.e.f. 16-5-1983 and a charge sheet was submitted against him on 25-7-2000, for remaining unauthorized absence w.e.f. 1-4-2000, as the workman remained absent in spite of repeated reminders and as he was found in habit of remaining absent regularly and the workman attended the enquiry proceedings and the enquiry proceedings were conducted by observing all the principles of natural justice and the Inquiry Officer rightly came to the conclusion that the charges against the workman were proved beyond doubt and the workman was rightly dismissed from service vide order dated 13/14-10-2002. It is further pleaded by the Party No. 1 that in spite of the submission of the charge sheet dated 25-7-2000 and giving of number of opportunities to the workman to improve his attendance, the workman failed to improve his attendance and earlier to submissions of the said charge sheet, another charge sheet dated 8/10-6-1997 had been issued against him, but thereafter also, the workman remained absent, without intimation or sanction of leave, so, another charge sheet dated 2-7-1998 had been issued against him and likewise charge sheets dated 26-11-1998 and 21/22-11-1999 had also been issued against the workman, but in spite of such fairness on the part of the Party No. 1 and in spite of giving full opportunity to the workman to improve his attendance, he did not improve, so it (Party No. 1) was constrained to issue the charge sheet dated 25-7-2000 and the workman had never produced any document to show that he was suffering from illness and he had taken medical assistance at the hospital and he had produced only a letter from public health centre as regard to his fitness, which letter was silent about everything else and the workman during his cross-examination in the enquiry proceedings had admitted that he had not taken medical treatment from its hospital (hospital of WCL) and had also never intimated the authorities, about the cause of his absence and the workman had also admitted the fact that he was not attending his duties regularly. It is further pleaded by the party No. 1 that the workman was made to work as Badli worker in pursuance to Clause 13.3 of the Certified Standing

Orders, because of his long absence after the expiry of leave period, the workman had lost his lien on the post and he was asked to work as Badli worker and the workman was not asked to work as Badli worker by way of punishment and the workman was not punished twice for the same misconduct and the findings are not perverse and the punishment is not disproportionate to the proved misconduct of the workman and as such, the workman is not entitled for any relief.

5. It is necessary to mention here that from 20-4-2009 neither the workman nor anybody else on his behalf appeared in the case. So, the matter was heard ex-parte against the workman.

6. As this is a case of removal from service of the workman, after holding a departmental enquiry, the validity of the departmental enquiry was taken as a preliminary issue for consideration and vide order dated 19-04-2011, the enquiry was held to be legal, proper and by following the principles of natural justice.

7. At the time of argument, it was submitted by the learned advocate for the party No. 1 that the findings of the enquiry officer are based on the evidence produced before him during the enquiry and after proper analysis of the evidence, the enquiry officer has rightly concluded the charges to have been proved against the workman and the enquiry officer has assigned the reasons in support of his findings and in view of the serious misconduct committed by the workman, which was proved against him in the departmental enquiry, the punishment imposed against him is just and proper and is not shockingly disproportionate to the charges and there is no ground to interfere with the punishment. In support of the contentions, the learned advocate for the management placed reliance on the decisions reported in 2005 (4) Mh. L.J.-881 (L&T Grahak Sahakari Sanstha Vs. T.K. Bishwe and Others, 2005 (1) Mh. L.J. -666 (HPCL Vs. D.N. Vidhate) and 1998 II CLR 1031 (BMMC Vs. The General Secretary, BEST Workers Union).

8. Perused the record including the documents of the departmental proceedings. In this case, the workman was charged for remaining unauthorized absence. The charges have been proved in an enquiry, which is fair and proper and in accordance with principles of natural justice. It is also found that the findings of the enquiry officer are not perverse, as he has analyzed the evidence produced before him in a rational manner and come to a conclusion that the charges have been proved against the workman. Considering the facts that the workman was a habitual absentee and the misconduct committed by him is serious in nature, it is held that the punishment imposed against him is not shockingly disproportionate. Hence, there is no scope to interfere with the punishment.

On perusal on the materials on record, it is also found that the workman was made to work as Badli worker, in

pursuance to Clause 13.3 of the Certified Standing Orders, because of his long absence after the expiry of leave period, the workman had lost his lien on the post and he was asked to work as Badli worker and the workman was not asked to work as Badli worker by way of punishment so it is held that the workman was not punished twice for the same misconduct. Therefore, it is ordered :

ORDER

The action of the management of Ballarpur Sub Area of Western Coalfields Limited in converting Sh. Bandi Rajanna Yenkat, Driller to Badli Worker vide order No. WCL/BA/Ballarpur U/G/H-SH-A/1948 dated 17-08-2000 and removing from service vide office order No. WCL/BA/Ballarpur U/G/H-22/1505 dated 13-10-2002 is legal and justified. The workman is not entitled for any relief.

J.P. CHAND, Presiding Officer

नई दिल्ली, 30 अगस्त, 2011

का.आ. 2648.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार डब्ल्यू.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 20/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-08-2011 को प्राप्त हुआ था।

[सं. एल-22012/72/2003-आई आर (सीएम-II)]

डी. एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 30th August, 2011

S.O. 2648.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 20/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Western Coalfields Limited, and their workmen, which was received by the Central Government on 30-08-2011.

[No. L-22012/72/2003-IR (CM-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE SHRI J.P. CHAND, PRESIDING
OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR**

Case No. CGIT/NGP/20/2004

Date : 19-08-2011

Party No. 1 : The General Manager,
Western Coalfields Ltd.,
PO : Pathakhara, Distt. Betul (M.P.)

Versus

Party No. 2 : Shri Anil Verma,
C/o Shri Kishore Verma, Tansi
Parlyojana Qtr. No. 98, Double
Storey, PO Rampur, Chhindwara

AWARD

(Dated : 19th August, 2011)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of Western Coalfields Limited and their workman, Shri Anil Verma, for adjudication, as per letter No. L-22012/72/2003-IR(CM-II) dated 30-01-2004, with the following Schedule :

SCHEDULE

"Whether the action of the management of General Manager, Western Coalfields Ltd., Pathakhara in terminating the services of Sh. Anil Verma w.e.f. 27-10-2001 is legal and justified? If not, to what relief the workman is entitled?"

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement and accordingly, the workman Shri Anil Verma ("the workman" in short) file his statement of claim and the management of the WCL ("Party No. 1" in short) filed its written statement.

3. The case of workman is that he came to be appointed as a Loader with Party No. 1 on 23-5-1998 and on 2-5-2001, a charge sheet was issued against him on the allegation of habitual remaining absent and in the charge sheet, allegations were made against him regarding remaining absent from the years 1998 to 2001 though Party No. 1 was not authorized to include his previous absence in the charge and as such, the enquiry held against him is illegal and not in accordance with law and he was ill during the period of absence from duty and he had intimated about the same to the Party No. 1, but in spite of the same, in the charge, his such absence was included and though he was directed to attend the enquiry on 28-7-2001, his signature was taken on the proceeding of the enquiry showing the same to have been taken on 27-7-2001 and even though he had not admitted the charges leveled against him, in the proceeding, it was mentioned that he admitted the charges and therefore, the enquiry was closed. The further case of the workman is that he was never intimated about the appointment of the Inquiry Officer and he was not given chance for appointment of his co-worker to defend him in the enquiry and as such, the principles of natural justice were violated, while conducting the enquiry and the procedure adopted by the Inquiry Officer during the enquiry was also against the principles of natural justice and was not as per the law and as such, the enquiry is illegal and liable to be set aside. It is also pleaded by the workman that the allegations made against him were not major misconduct and as such, the order of termination of his service is shockingly disproportionate to the charges levelled against him.

4. The Party No. 1 in its written statement has pleaded interalia that the workman was initially appointed as a

Loader at Chhattarpur Mine No. 2 w.e.f. 23-5-1998, on compassionate ground and he was not interested in the service and he remained absent from duty on several occasions and he used to attend duty according to his own desire and wishes and thus, he became a habitual absentee since his employment and as per the provisions of the standing orders, a workman is required to submit application for grant of leave in advance and the competent authority is to accept or reject such leave and the order on such leave application is communicated to the workman and if the employee falls sick, he has to report to the Medical Officer of the company, who issues sick certificate and the employee is granted sick leave till he is declared fit for duty by the Medical Officer of the company and the workman was issued with several warnings and charge sheet etc., for remaining absent from duties without sanction of leave, but the management had always taken lenient view and did not take any serious action and issued only memo and charge sheet one after the other and the workman considered the leniency shown to him as a weakness of the management and continued to remain absent from duties unauthorisedly without application for leave or sanction of leave and without prior permission and the workman attended 168 days, 136 days, 68 days and 7 days in 1998, 1999, 2000 and 2001 respectively and he also remained absent from duties unauthorisedly from 9-8-1999 to 22-10-1999, for which he was issued with warning letter dt. 23-10-1999 and the workman was issued with charge sheet dt. 18-2-2000 for unauthorised absence from duties and he accepted the charges levelled against him and therefore, he was awarded with the punishment of stoppage of one increment with cumulative effect vide order No. 2128 dated 8-3-2000 and the workman again remained absent from duties unauthorisedly for which he was issued with another charge sheet bearing No. 1002 dt. 9-8-2000 and a departmental enquiry was ordered and Shri G.N. Saxena was appointed as the Inquiry Officer and the workman along with his co-worker participated in the enquiry and during the course of enquiry, the workman admitted the charges, so the enquiry was closed and the Inquiry Officer submitted his report and taking into consideration of the facts and circumstances of the case, vide order No. 1420 dt. 15-9-2000, punishment of stoppages of four annual SPRA (increments) was awarded and the workman remained absent unauthorisedly from 6-1-2001 to 15-1-2001, for which, he was issued with a warning dt. 16-1-2001 and the workman again remained absent unauthorisedly from 6-2-2001 to 25-2-2001, for which, he was issued final warning vide letter No. 2463 dt. 26-2-2001 and the workman also remained absent from duties unauthorisedly from 1-3-2001 to 15-3-2001, for which, another warning vide letter No. 2592 dt. 16-2-2001 was issued to him and considering the past record and the proved misconduct of unauthorized absenteeism from duties, the workman was issued with the charge sheet bearing No. 180 dt. 2-5-2001 and as no reply was received from the workman, it was decided to conduct the departmental enquiry vide office order No. 72 dt.

25-6-2001 by appointing Shri R.N. Tiwari, as the Inquiry Officer and Shri Pyarelal as the management representative and the Inquiry Officer vide memo No. 981 dt. 17-7-2001 fixed the sitting of the enquiry on 28-7-2001 and on that date, the management representative, the workman and his co-worker, Shri Dhinkar Sahu attended the enquiry and during the course of the enquiry, the workman accepted the charges levelled against him unconditionally and as the charges were accepted by the workman during the course of enquiry in presence of his co-worker, the enquiry proceedings were closed and the Inquiry Officer submitted his enquiry report on 29-7-2001, holding the workman guilty of the charges and the entire enquiry proceedings were placed before the competent authority, who being satisfied that the enquiry was conducted legally, properly and by following the principles of natural justice and that the workman to have accepted the charges, agreed with the findings of the Inquiry Officer and thereafter the second show-cause notice was issued to the workman and as no reply was received, the competent authority passed the final order dt. 27-10-2001 and terminated the workman from his services and in the enquiry, the workman was granted ample opportunity to defend his case and the punishment imposed on him is proper and proportionate to the gravity of the misconduct proved against him and the workman had never represented about his sickness at any time either to the management or at colliery hospital.

5. It is necessary to mention here that as after filing of the statement of claim, the workman did not appear to take part in the case, the case proceeded ex-parte against him.

6. As this is a case of termination of the service of the workman, after holding a departmental enquiry, the validity of the departmental enquiry was taken as a preliminary issue for consideration and as per order dated 7-4-2011, the departmental enquiry was held to be legal, proper and by following the principles of natural justice.

7. Perused the record including the documents filed by the management. After going through the report of the enquiry officer it is found that the findings are not perverse and the findings of the enquiry officer are based on the materials placed before him during the enquiry proceedings. He has properly analyzed the evidence and has given cogent reasons in support of his findings. It is also found that the punishment imposed against the workman is not shockingly disproportionate to the proved grave misconduct in a valid departmental enquiry. Hence, there is no scope to interfere with the punishment. Hence, it is ordered :

ORDER

"The action of the management of General Manager, Western Coalfields Ltd., Pathakhara in terminating the services of Sh. Anil Verma w.e.f. 27-10-2001 is legal and justified. The workman is not entitled to any relief."

J.P. CHAND, Presiding Officer

नई दिल्ली, 30 अगस्त, 2011

का.आ. 2649.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार डब्ल्यू.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 122/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-08-2011 को प्राप्त हुआ था।

[सं. एल-22012/184/2001-आई आर (सीएम-II)]

डी. एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 30th August, 2011

S.O. 2649.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 122/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the management of Mohan Colliery of WCL, and their workman, received by the Central Government on 30-08-2011.

[No. L-22012/184/2001-IR (CM-II)]

D.S.S. SRINIVASARAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/122/02

Presiding Officer : Shri Mohd. Shakir Hasan

The General Secretary,
B.K.K.M.S. (BMS),
PO Parasia, Chhindwara

... Workman

Versus

The Manager,
Mohan Colliery of WCL,
PO Junnardeo,
Distt. Chhindwara

... Management

AWARD

Passed on this 17th day of August, 2011

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/184/2001-IR (CM-II) dated 27-8-2002 has referred the following dispute for adjudication by this Tribunal :

"Whether the action of the management of Nandan Mine No. 1 of WCL, Kanhan Area, Distt. Chhindwara (MP) in not correcting the date of birth of Smt. Kesar Bai W/o Late Shri Pathilal, General Mazdoor as 25-5-1961 is legal and justified? If not, to what relief she is entitled to ?"

2. The Union/workman did not appear inspite of proper and sufficient notice. Lastly the then Tribunal proceeded the reference ex-parte against the Union/workman on 3-6-2008.

3. The management appeared and filed Written Statement in the case. The case of the management in short is that one Pathilal was employee of the management of WCL, Kanhan Area who died on 19-8-91. The applicant widow Smt. Kesar Bai submitted an application for appointment on compassionate ground. The Mines Manager, Nandan Mine No. 1 forwarded her application as per the provision of NCWA. She was accordingly appointed vide letter dated 9-5-92. She was examined by the Medical Board under rules and her age was declared as 39 years as on 17-11-91. She was found fit for the employment. Accordingly Form B register was filled up under rules and her date of birth was recorded in the Form B as 17-11-52. She gave her thumb impression in token of acceptance of her age. Form "HH" was also prepared. It is stated that the management introduced voluntarily retirement scheme. The applicant Smt. Kesar Bai applied to avail the scheme alongwith other workers. She was granted VRS vide office order No. 2458 dated 26-12-03. The applicant had never applied for correction of her date of birth nor submitted any document under the Implementation Instruction No. 76 giving the procedure for determination and verification of age of the employees. On these grounds, it is submitted that the action of the management is justified and the reference be answered in favour of the management.

4. The following issues are framed for adjudication :

- (i) Whether the action of the management in not correcting the date of birth of Smt. Kesar Bai as 25-5-1961 is legal and justified?
- (ii) To what relief the workman is entitled ?

5. Issue No. I

To prove the case, the management has adduced oral and documentary evidence. The management witness Shri Vinod Kumar Namdeo is Manager at Nandan Mine No. 1 in Kanhan Area. He has supported the case of the management. He has stated that Smt. Kesar Bai submitted application for appointment on compassionate ground on the death of her husband. His evidence shows that she was appointed by the management and she was examined by the Medical Board who determined her age as 39 years. The photocopy of the said medical report is filed which is marked as Exhibit M/5. The copy of the Form B register is also filed which is marked as Exhibit M/6 which also shows that her date of birth was 17-11-1952. There is no other evidence in rebuttal of the evidence of the management. This witness has also stated that Smt. Kesar Bai availed the Scheme of voluntary retirement. The copy of the order is filed which is marked as Exhibit M/8.

shows that she retired w.e.f. 31-12-2003 and in her place, her son namely Shri Vinod Kumar is appointed. This shows that that's why the applicant has not contested the case. Considering the evidence of the management, it is clear that the action of the management is legal and justified as the management had based her age on medical examination. This issue is decided in favour of the management and against the workman/Union.

6. Issue No. II

On the basis of the discussion made above, I find that the Union/Smt. Kesar Bai is not entitled to any relief. Accordingly, the reference is answered.

7. In the result, the award is passed without any order to costs.

8. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 30 अगस्त, 2011

का.आ. 2650.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एस.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकार के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, गोदावरीखन्नी के पंचाट (संदर्भ संख्या 9/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-08-2011 को प्राप्त हुआ था।

[सं. एल-22013/1/2011-आई आर (सी-II)]

डी. एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 30th August, 2011

S.O. 2650.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal-cum-Labour Court, Godavarikhani (IT/ID/09/08) as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SCCL, and their workman, which was received by the Central Government on 30-08-2011.

[No. L-22013/1/2011-IR (C-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CHAIRMAN INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, GODAVARIKHANI

PRESENT:

Shri M. Syamala Rao, B.A., B.L., Chairman-cum-Presiding Officer

Wednesday, the 17th Day of August, 2011

Industrial Dispute No. 9 of 2008

BETWEEN:

Lagavath Thirupathi, S/o Sri L. Mangya Naik,
E.-2913461, Ex. Badli Filler of RK. NT Incline,
The SC Co. Ltd., Sreerampur Area,
Distt. Adilabad.

... Petitioner

And

The Chief General Manager,
The Singareni Collieries Co. Ltd.,
Srirampur Area,
Distt. Adilabad.

... Respondent

This industrial dispute petition U/Sec. 2-A(2) of I.D. Act, coming on before me for final hearing on 18-7-2011, upon perusing all the documents on record and upon hearing the arguments of Sri Md. Afzal, Advocate, for the petitioner and Sri D. Krishna Murthy, Advocate, for the respondent, having stood over for consideration till this date, the court passed the following :

AWARD

1. This is an industrial dispute petition filed by the petitioner U/Sec. 2A(2) of I.D. Act, 1947 to set aside the illegal dismissal from service proceedings dt. 31-3-2007 and direct the respondent to reinstate the petitioner into service with continuity of service together all attendant benefits and with full back wages.

2. The brief facts of the case are that the petitioner was appointed as Badli Filler in the deceased employees' quota of his father on 3-8-2003 vide office order No. R3/PER/3/3914 and posted to RK.NT Incline (Ramkrishnapur new technology incline Srirampur). He joined in the incline worked satisfactorily upto December, 2004 without any remarks duly adhering the time to time instructions of superiors without any deviation.

3. And that on 1-1-2005 he suffered with severe fever and his eye changed totally white, i.e., he suffered with ill-health, bed ridden and unable to perform the duties. In such severe conditions, his mother shifted him to her residential house. He was referred to District Head Quarters hospital contacted Dr. Y. Narendra, Karimnagar i.e., Chief. He had arranged diagnosis found that the petitioner was effected white jaundice and arranged treatment the same was informed on contacting the Superintendent of Mines, RK.NT Incline the submitted the original sick certificate for the period from 1-1-2005 to 12-2-2005 and extended other sick from 13-2-2005 to 9-5-2005 along with fit certificate declaring him fit for duty w.e.f., 10-5-2005 to the respondent. That on 10-5-2005, the petitioner reported for duty, but the Superintendent of Mines has not taken to duty and directed to their Area Hospital for advice. The Addl. Chief Medical Officer, Area Hospital, RKP/SRP has issued fitness certificate declaring him fit for duty from 16-5-2005 and in the fitness certificate

there was no single point as sick was non genuine. That the petitioner again attended for duty but not taken upto 23-5-2005, but he was not taken to duty stating as he brought out station sick which is invalid. The petitioner has issued all original sick and fit certificates/O.P., tickets dt. 12-5-2005, 23-5-2005, 24-2-2006 and 14-3-2005, 25-2-2006, 25-3-2006, 25-3-2006 to the respondent company and issued charge sheet No. RK.NT/R.008/2006/1531, dt. 29-6-2006 framing the following charge :

“You have habitually absented to your duties from January, 2005 to December, 2005 which is against to company's standing orders”

4. And that due to non taking to duty, made suffered by the Superintendent of Mines without allowing to duty, he had suffered mentally, with that mental tension, again felt with severe enteric fever and became very weak and unable to perform duty, as such he had contacted the same his reliable District Head Quarters Hospital, Karimnagar and submitted continuous sick certificate. This is actual fact but there was waton or willfully absence to duty but he is under genuine sick, but the genuine sick was not accepted and he was dismissed from service vide order No. SRP/PER/13.008/1831, dt. 31-3-2007 w.e.f. 1-4-2007, without any show cause notice of dismissal, as such the petitioner had not submitted explanation to show cause notice please.

5. Domestic Enquiry :

The petitioner submits that he was an illiterate appointed against the quota of deceased employee, even not known the news paper reading, totally bed ridden and not known the paper publication and at Karimnagar itself by taking treatment at his relatives. That due to non availability at his residence, he had not taken any paper and lack of intimation, he has not attended to the enquiry and not received any paper. That the enquiry officer has given only one call for enquiry and closed the enquiry which is not correct as a result, the petitioner has not attended the enquiry and not known the facts, whatever action taken by the management upto dismissal from service and not received single document from the management. Therefore, the enquiry conducting procedure, its report is totally one side, bias and against the principles of natural justice. The court may kindly determine the validity of enquiry conducting procedure, its report and to do justice to the petitioner.

6. And that the petitioner has aggrieved with the dismissal order of the respondent-management dt. 31-3-2007 and now preferring this petition for consideration. The petitioner served demand notice on 5-10-2007, but the respondent has not replied. The petitioner further submit that he was already once warned for the sick absent period by the respondent vide warning letter No. SRP/RK.NT/R-016/707, dt. 27-3-2006, hence for

the same period dismissing from service is illegal in once decided case. Therefore, double punishment on once decided period is illegal. That the petitioner is now fit to perform the duties without any type of giving scope to absence or sick or anything and adhere the instructions scrupulously without deviation. Therefore prays as above.

7. The respondent filed his counter denying the allegations made in the petition and the brief facts of the counter are that it is a Government company incorporated under the provisions of Company's Act, 1956 for carrying out the business of winning and selling the coal and since the coal mining industry is a Central subject, the appropriate Government for this respondent/management is Central Government. And that as per Sec. 7-A(i) of ID Act the appropriate Government may by notification in the official gazette, constitute one or more Industrial Tribunals for the adjudication of industrial disputes relating to any matter, whether specified in the 2nd schedule or 3rd schedule and for performing such other functions as may be assigned to them under this Act and the Central Government established an Industrial Tribunal-cum-Labour Court at Hyderabad from 29-12-2000 for adjudication of Industrial Disputes and the petitioner ought to have approached the said Tribunal for redressal of grievance, if any. But the petitioner conveniently avoided to file this petition before the Tribunal established by the Central Government for the reasons best known to him and the petition is not maintainable under law and the same may be dismissed on this ground alone. And the maintainability of the dispute raised by the petitioner before this court may be decided as preliminary issue before proceeding with a trial.

8. And that the petitioner failed to exhaust the conciliation procedure as laid down in the I.D. Act and filed the present petition before this Tribunal U/Sec. 2-A(2) of I.D. Act, 1947 as amended by A.P., Amendment Act, 1987 (Act No. 32/1987) and submitted that as appropriate Government for coal mining industry is the Central Government, the State Amendment Act is not applicable to the respondent company and the petition filed by the petitioner is not maintainable under law and is liable to be dismissed in limini.

9. And that the petitioner was appointed into service of the respondent company on 15-11-2003 as Badli Filler and the petitioner has submitted only one outstation sick certificate for the period from 13-2-2005 to 9-5-2005 and hence as per the existing procedure the petitioner was directed to Colliery hospital to ascertain his fitness for duty. The Addl. Chief Medical Officer of the Area Hospital, examined the petitioner and issued fitness certificate on 16-5-2005. The petitioner thereafter has not reported back to the office of respondent company to take him on duty and has come to the office only on 20-5-2006 along with another outstation medical certificate for the period from

24-5-2005 to 23-2-2006 and a written application dt. 25-6-2006. This shows the tendency of the petitioner's habitual absence on ground of illness by submission of fake medical certificates. The petitioner being an underground employee is expected to put in a minimum of 190 musters in a calendar year. But the following attendance particulars shows that in no year the petitioner is regular to his duties and in no year he had put in 190 musters during the period from 2003 to 2006.

Year	Musters	Year	Musters
2003	25	2005	01
2004	102	2006	03

10. During the year 2005, the petitioner remained absent for 359 days without sufficient cause. As above act amounted to misconduct under clause No. 25.25 of company's standing orders, the petitioner was charge sheeted vide charge sheet dt. 29-6-2006. The relevant clause of standing orders is as under :

"25.25—Habitual late attendance or habitual absence from duty without sufficient cause"

11. The charge sheet was sent to the residential address of the petitioner by Regd. Post with Ack., but it was returned by the postal authorities as undelivered. Hence charge sheet and enquiry notice was published in Telugu daily news paper Andhra Jyothi on 16-9-2006 advising the petitioner to submit his explanation if any within 4 days and attend the enquiry on the date mentioned. As the petitioner failed to attend the enquiry on the specified date, enquiry officer conducted exparte enquiry. The enquiry report along with enquiry proceedings were sent to the residential address of the petitioner by Regd. Post with Ack., due letter dt. 24-10-2006 with an advise to submit his representation if any within 7 days, but the postal authorities returned the cover as undelivered. And that show cause notice was published in 'Andhra Jyothi' daily news paper on 3-12-2006 advising the petitioner to collect the enquiry report from the office of the respondent company and to submit his representation if any within 7 days of the publication of the notice. As there was no reply from the petitioner and as the charges framed against him are proved and serious in nature, he was dismissed from service of the company w.e.f., 1-4-2007 vide letter dt. 31-3-2007. Though the petitioner was habitually absenting from duties every year, the respondent/management did not take any action against him and provided him an opportunity by referring him to colliery hospital, but the petitioner continued to remain absent for the year 2006 also. Thus the punishment of dismissal is appropriate in this case.

12. And that the respondent/company has established dispensaries, Area hospitals and main hospital to extend medical treatment with free of cost to the

employees and their family members. It is also extends specially with half pay for a maximum of 6 months if any of its employee suffers from T.B., Cancer, Paralysis, Heart disease etc. The petitioner should have reported sick in colliery hospital if he was really sick. Further it becomes his primary responsibility to communicate about the same and his inability to attend duties and should have requested the mine authorities to grant leave. The petitioner did not do any of the above and now claims that he was suffering from ill health which was cause of his absenteeism, which cannot be considered.

13. And that the respondent company made efforts as required under the existing procedure to communicate the contents of charge sheet to the petitioner. But the petitioner failed to receive the charges sheet and make his representation. Though the charges sheet and enquiry notice was published in Telugu daily news paper, the petitioner did not attend the enquiry. As such, the enquiry officer conducted the exparte enquiry and submitted his report on the basis of recorded evidence. And that the petitioner on dismissal can make an appeal as per the standing orders of the company, but he did not avail the opportunity and served a demand notice dt. 5-10-2007 to the General Manager. And that the petitioner was only cautioned vide letter dt. 27-3-2006 for his absence from 24-5-2005 to 27-3-2006. He was neither charge sheeted for the above absence nor any enquiry was conducted as required under company's standing orders. And that as per the petitioner further absented despite caution, he was charge sheeted and enquiry was conducted affording opportunity to defend his case as required under law. The petitioner did not produce the warning letter in the enquiry as his defence because no enquiry was conducted. The letter is only an administrative advise to improve his attendance. As such the allegation of the petitioner that issue of warning letter and subsequent initiating of disciplinary proceedings as furnishing him twice for the same cause of misconduct is denied. And that it is the petitioner's misconduct which has compelled the respondent/management to impose penalty of dismissal which cannot be termed as unjust. The respondent management cannot be held responsible for the alleged financial problems. And that the respondents companies employees more than 75 thousands persons which includes the workmen, Executives and Supervisors. The product results will depend upon the overall attendance and performance of each and every individual. They are interlinked and insufferable. In this regard if any one remains absent without prior sanction of leave or without any justified cause, the work to be performed get effected. Such unauthorised absence creates sudden void which at times is very difficult and there will be no proper planning and already planned schedules get suddenly disturbed without prior notice. That is the reason why the respondent company is compelled to take severe action against the unauthorised absentees. In the instant case.

the petitioner is one such unauthorised absentee having only one day attendance in the year 2005 and he has not improved his attendance and work performance even after issuing the chargesheet. He had failed to avail opportunity given to him. With the advent and implementation of new industrial and economic policies by Central Government as well as company, the respondent company cannot go on employing the persons who are chronic absentees, who are burden to the respondent company, as such the respondent company was constrained to dismiss the petitioner for his unauthorised absenteeism vide order dt. 31-3-2007. Therefore prays to dismiss the petition with costs, else the respondent company suffers irreparable loss.

14. No witnesses are examined on either side, but Ex. W-1 to Ex. W-11 are marked on behalf of the petitioner and Ex. M-1 to Ex. M-9 are marked on behalf of the respondent.

15. Heard both sides, perused the material papers on record.

16. Now the points that arises for consideration are :

1. Whether the petitioner was already once warned the sick absence period by the respondents' vide warning letter dt. 27-3-2006 and if so for the same period dismissal from service is illegal and amounts to punishment on once decided case ?
2. Whether dismissal of the petitioner from service was not justified and if so, whether it was proportionate to the absence of the duties by the petitioner ?
3. To what relief the petitioner is entitled ?

17. Point No. 1 :

The petitioner filed a memo on 4-10-2010 stating to decide the case U/sec. 11-A of the I.D., Act.

18. It is the case of the petitioner that the petitioner was already once warned the absence period by the respondents vide warning letter dt. 27-3-2006 and again dismissal from service for the said period is illegal and amounts to punishment on once decide case. Warning letter is marked as Ex. W-8. Under this document, the respondent noticed from the records that the petitioner have remained absent from 24-5-2005 to 27-3-2006 onwards without permission and without any satisfactory cause. Therefore warned the petitioner not to repeat the same infuture failing which disciplinary action shall be initiated against the petitioner. Under Ex. W-1 the respondent gave certain information to the petitioner's counsel under R.T.I., Act. 2005. Under Ex. W-10 the chargesheet it is mentioned the petitioner absent from duties habitually without any reason from January, 2005 to December, 2005 for a total days of 359 except 6 days in the month of February, 2005.

19. As seen from Ex. W-2 the petitioner has brought out station sick certificate from 13-2-2005 to 9-5-2005 and Area Hospital of the respondent gave the fitness certificate certifying that the petitioner is fit for duty on 16-5-2005. As seen from Ex. W-6, the Area Hospital of the respondent certified that the petitioner has brought out station sick certificate for the period from 24-5-2005 to 23-2-2006 and he was examined and found fit for duty. This document is dt. 25-3-2006. From seeing the other documents marked by the petitioner shows that he has brought the sick certificates and produced before the respondent, on that he was referred by the respondent to their area hospital and the area hospital certified the out station certificates brought by the petitioner and confirmed the same and issued their own certificates in consonance with the out station medical certificates produced by the petitioner. So these documents shows that petitioner has submitted sick certificates for his absent period from February to December, 2005 except for the month of January and few days in the month of February, 2005. Because of the sickness of the petitioner, he could not have obtained prior sanction of leave, but he subsequently produced medical certificates for his absent period. Then it is the respondent to grant the leave for the absence period and grant any other leave available to the petitioner for the remaining period for which the petitioner has not produced any medical certificate. It is not known whether the respondent has granted the medical leave or other leave to the petitioner for the period for which the petitioner produced medical certificates. If no other leave is available to the petitioner for his absence period in the year 2005 the respondent may also grant leave on loss of pay. Instead, he gave warning letter under Ex. W-8. The warning letter is dt. 27-3-2006. Under these circumstances it can be presumed and implied that the respondent has exonerated the absence period of the petitioner in the year, 2005 by way of warning letter. Later for the same absence period the respondent again issued chargesheet under Ex. W-10, Dt. 29-6-2006. The chargesheet was not served on the petitioner except by way of service under paper publication as seen from Ex. W-3. Subsequently enquiry was conducted for the above charges and even in this enquiry, the petitioner has not participated because of non service of notice, except by way of paper notification. Therefore, it amounts an exparte enquiry since the petitioner was not given opportunity to participate in the enquiry and to gave an explanation for the charges framed against him and to in his evidence in enquiry proceedings. Basing on the enquiry report, the respondent issued a show cause notice under Ex. M-6. This was also not served on the petitioner and Registered. Cover was returned unserved. Again show cause notice was published in paper notification under Ex. M-8. So there was no opportunity to the petitioner to give his objections/explanation to the show cause notice issued to him. Thereafter the respondent under Ex. W-11 dismissed the petitioner from services of

the respondent company w.e.f., 1-4-2007. The Exhibits marked under "W" series were issued by the respondent by attesting them.

20. In the light of the above documentary evidence it is very crystal clear to hold that the dismissal of the petitioner from services basing on an exparte enquiry report in view of the issuance of warning letter by the respondent amounts to illegal dismissal from service, because once for the same period of absence, the respondent has already warned the petitioner and again charges were framed for the said absence period and again punished by way of dismissal from service for the said same absence period. So I hold this is a double punishment.

21. In this regard the learned counsel for the petitioner while arguing the case drew my attention to a decided case law reported in 1995-I L.L.N. 124 before the High Court of judicature at Gauhati in page No. 1995, wherein the High Court of Gauhati in a case between Akal Thadou and North Cachar Hills Autonomous District Council Haflong, and others held double punishment for the same offence not legal. The facts of the above case law are analogous and similar to the facts of the case on hand. So in the light of the above case law and also as well as in the light of the documents filed by either side, I hold that the petitioner was punished twice by way of warning letter and also by way of dismissal from service for one and the same offence i.e., absence from duties, unauthorisedly, without prior sanction during the year, 2005 from January to December. The point is answered accordingly.

22. POINT No. 2 :

I have already observed in point No. 1 the respondent can grant whatever the leave available to the petitioner for his absence period in the year 2005 and if no leave is available to him, he might have granted leave on loss of pay. Instead he punished the respondent twice i.e., double punishment for one and the same offence. So, double punishment is not justified and it is illegal. Even otherwise, the punishment of dismissal from service is quite disproportionate for the absence from duties in the year 2005 inspite of the petitioner producing medical certificates showing his ill health which were also confirmed and certified by the respondents' area hospital authorities. The respondent to maintain the balance between the absence period and punishment i.e., going to be awarded could have imposed the less punishments like stoppage of increments with cumulative effect or without cumulative effect or could have granted the leave on loss of pay or could have awarded lesser punishment provided under the standings orders/regulations/rules of the respondent. Instead, the petitioner was awarded a sever punishment i.e., dismissal from service which I find is not justified and not proportionate to the absence of the petitioner from duties. The point is answered accordingly.

23. POINT No. 3 :

In view of my findings on Point Nos. 1 & 2, I hold that the order of dismissal of the respondent is liable to be set aside and accordingly set aside. I further hold it would be justifiable to direct the respondent to reinstate the petitioner into service. Hence the respondent is directed to reinstate the petitioner into service, with continuity of service together with all attendant benefits, but without back wages. But in the circumstances, each party do bear their own costs.

Typed to my dictation directly by Typist, corrected and pronounced by me in the open court on this, the 17th day of August, 2011.

M. SYAMALA RAO, Chairman-cum-Presiding Officer

APPENDIX OF EVIDENCE Witnesses Examined

For workman :

For Management :

Nil

Nil

EXHIBITS

For workman :

Ex. W-1	Dt. 08-07-2009	Letter addressed to Sri Mohd. Afzal, Advocate by Sri KVR Murthy, General Manager of SCCL.
Ex. W-2	Dt. 16-05-2008	Sick certificate issued to the petitioner by the Addl. C.M.O., Area Hospital, RKP/SRP, attested copy.
Ex. W-3	Dt. 12-05-2005	SCCL O.P., ticket of petitioner, attested copy.
Ex. W-4	Dt. 23-05-2005	Fitness certificate of petitioner issued by Govt. Civil Surgeon with O.P., ticket of SCCL, attested copy.
Ex. W-5	Dt. 25-02-2006	Sick certificate issued to the petitioner by Medical Superintendent, attested copy.
Ex. W-6	Dt. 25-03-2006	Fit certificate issued by the A.C.M.O., A.H., RKP/SRP, attested copy.
Ex. W-7	Dt. 25-03-2006	Sick certificate issued by Medical Superintendent, SRP area, attested copy.
Ex. W-8	Dt. 27-03-2006	Warning letter issued to the petitioner by SOM/Colliery Manager Mine, attested copy.

Ex W-9 Dt. 2/3-7-2009 Letter issued to the Dy. G.M. (Per.), Srirampur by the Dy. CMO, A.H. RKP, Xerox copy

Ex W-10 Dt. 29-06-2006 Charge sheet, attested copy

Ex W-11 Dt. 31-03-2007 Dismissal order.

For Management :

Ex M-1 Dt. 29-06-2006 Charge sheet office copy.

Ex M-2 Dt. 27-07-2006 Undelivered returned postal cover with Ack.

Ex M-3 Dt. 16-09-2006 Charge sheet-cum-enquiry notice published in Andhra Jyothi daily news paper.

Ex M-4 Dt. 27-09-2006 Enquiry proceedings

Ex M-5 Dt. 27-09-2006 Enquiry report

Ex M-6 Dt. 24-10-2006 Show cause notice

Ex M-7 Dt. 27-10-2006 Undelivered postal returned cover with Ack.

Ex M-8 Dt. 03-12-2006 Show cause notice published in Andhra Jyothi Telugu daily news paper.

Ex M-9 Dt. 31-03-2007 Dismissal order.

नई दिल्ली, 30 अगस्त, 2011

का.आ. 2651.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एस.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, गोदावरीखानी के पंचाट (संदर्भ संख्या 85/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-08-2011 को प्राप्त हुआ था।

[सं. एल-22013/1/2011-आई आर (सी-1)]

डी. एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 30th August, 2011

S.O. 2651.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal-cum-Labour Court, Godavarikhani IT/ID/85/1997 as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of SCCL and their workmen, which was received by the Central Government on 30-08-2011.

[No. L-22013/1/2011-IR (C-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CHAIRMAN INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, GODAVARIKHANI

PRESENT:

Shri M. Syamala Rao, B.A., B.L., Chairman-cum-Presiding Officer

Tuesday, the 16th Day of August, 2011.

Industrial Dispute No. 85 of 1997

BETWEEN:

K. Rayamallu, S/o Buchaiah,
Aged about 40 years,
R/o Doolkunta Village,
Joolapalli Mandal,
Peddapalli Post,
Karimnagar District

... Petitioner

And

The General Manager,
Singareni Collieries Co. Ltd.,
Ramagundam Division Area-II,
Ramagundam, Karimnagar District. ... Respondent

This Industrial Dispute petition U/Sec. 2-A(2) of I.D. Act, coming on before me for final hearing on 11-07-2011, upon perusing all the documents on record and upon hearing the arguments of Sri S. Bhagavantha Rao, Advocate, for the petitioner and Sri Krishna Murthy, Advocate, for the respondent, having stood over for consideration till this date, the court passed the following:

AWARD

1. This is an Industrial Dispute petition filed by the petitioner U/Sec. 2-A of I. D. Act, 1947 praying to set aside the dismissal order passed by the respondent against the petitioner dt. 27-8-1992 and direct the respondent to reinstate the petitioner into service with full back wages and all other attendant benefits.

2. The brief averments of the petition are that he was appointed as temporary Tunnel Mazdoor on 23-5-1980 and since his date of appointment, he has been performing his duties to the entire satisfaction of his superiors.

3. And that while the matter stood thus, the petitioner issued charge sheet alleging that the petitioner has stolen property belongs to the company which is a misconduct under standing orders clause 16(6) of the company. To the said charge sheet the petitioner gave explanation denying the charges. However, the respondent/management without considering the petitioner's explanation, conducted and enquire into the charges on 9-3-1992. The enquiry was conducted in gross

violations of principles of natural justice. The enquiry officer made the petitioner guilty of the charges inspite of ample evidence on behalf of the petitioner. Subsequently, the petitioner was dismissed from service by proc., No. P.R.G-II/8/1989, dt. 27-8-1992 by the 2nd respondent. The action of the respondent in terminating the petitioner from his service is illegal, arbitrary and unjust. Aggrieved by the said dismissal order petitioner filed an appeal on 30-9-1992. However, the same has not been disposed of till today. Aggrieved the said dismissal order the petitioner filed a conciliation application before the Regional Commissioner of Labour. During the pendency of the said conciliation application, the Hon'ble High Court Bench was pleased to deliver a judgment in Writ Petition No. 8395/89 in which it has been stated that the 2-(A)2 amendment is applicable to all the State and Central Government Industries which are situated in the State. Hence, the petitioner is constrained to file this application U/Sec. 2(A)2 of I.D. Act. And that the action of the respondent in dismissing the petitioner from his services is illegal, arbitrary and unjust on the following grounds :

4. Grounds :

- (a) The enquiry officer failed to see that the management could not establish the charges in the enquiry. However, the enquiry officer acted in a biased manner and made the petitioner guilty of the charges.
- (b) The enquiry officer failed to see that the one Mr. S. Rajaiah, confessed his guilt before the respondent, but however, the enquiry officer instead of dropping the charges against petitioner completed the enquiry without taking petitioner evidence into consideration.
- (c) The enquiry officer failed to see that the petitioner was made scapegoat for the alleged mis-conduct for which the other employees are liable to be guilty.
- (d) The enquiry officer failed to see that the respondent management did not initiate any action of the watchmen's who were on duty on the day of incident. But however, the respondent management with a malafide intention initiated action against the petitioner and dismissed him from his services.
- (e) The enquiry officer failed to see that no sufficient opportunity was given to the petitioner to cross-examine the witnesses of the management.
- (f) The enquiry officer failed to see that the respondent management did not examine Sri K. Mondaiah and S. Rajaiah, both Watchmen who were performing the duties on that day of incident.

- (g) The enquiry officer failed to see that K. Mondaiah who want to have Tiffin at 9 AM did not come to duty and got disappeared. The above act of Mr. K. Mondaiah clearly shown that petitioner was involved in the said theft.
- (h) The enquiry officer failed to see that the statement of Ch. Prabhakar, Badli Filler, who was the eye witness of the said incident was vague and suspicious in nature.
- (i) The enquiry officer failed to see that the petitioner made effects to catch hold the culprits.
- (j) The enquiry officer failed to see that none of the eye witnesses were examined in the enquiry.
- (k) The enquiry officer and the respondent management failed to see that the petitioner is not guilty of the charges and he has no intention to defraud the property of the respondent management.

5. And that the petitioner is out of employment since the date of his dismissal from services. Being only earning member of his family it has become difficult to seek out his livelihood. And that the order of the respondent is too harsh and disproportionate the charges framed against the petitioner. Therefore, prays as above.

6. The respondent filed his counter denying the allegations made in the petition and putting the petitioner to strict proof of those allegations, inter-alia contending that in fact the petitioner was appointed on 30-5-1980.

7. And that the enquiry officer has conducted an enquiry by following the principles of natural justice and also given full opportunity to the petitioner to defend his case. The enquiry officer submitted the report holding that the charges levelled against the petitioner are proved. On the basis of report of the enquiry officer, the services of the petitioner was terminated vide order No. P.R.G. II/08/1796, dt. 27-08-1992 w.e.f. 28-8-1992. The petitioner filed an appeal against the dismissal order. The Hon'ble Industrial Tribunal at Hyderabad also approved the action of the respondent in terminating the services of the petitioner in M.P. 18/92 in 10 & 12 of 1989.

8. And that the Petitioner was on duty in 2nd shift of 9-3-1992 and he was engaged to work as Watchman for Gate No. 2 of GDK-II-A Incline. On 9-3-1992 at about 10.00 PM., some persons came in a van and entered into the mine premises through Gate No. 2 and committed theft 19 MS pipes and 16 belt stringers and the petitioner was kept at Gate No. 2 was Watchman on the day of incident. The petitioner left the Gate No. 2 and also managed the guard at Gate No. 1 and allowed the persons to commit

theft of the company property. The van movements are very visible even from the gate No. 1 and the petitioner did not take any care to protect the property of the company. The negligence on the part of the petitioner caused loss to property of the company. The charges levelled against the petitioner were proved and his services were terminated. Therefore the petitioner is not entitled for reinstatement with continuity of services and other benefits. Hence, the petition is liable to be dismissed. Therefore prays to dismiss the petition with costs.

9. No witnesses are examined and no documents are marked on either side.

10. Heard arguments from both sides. Perused the material papers on record.

11. Now the points that arises for consideration are :

1. Whether the enquiry was conducted in a gross violation of principles of natural justice ?
2. Whether the order of the dismissal of the petitioner from services is justified and if so it is liable to be set said ?
3. To what relief the petitioner is entitled ?

12. POINT No 1 :

It is one of the pleas of the petitioner that the enquiry was conducted in a gross violations of principles of natural justice. To establish the same, the petitioner did not choose to adduce any evidence or marked any documents, but before passing of an aware earlier, some evidence was let in and some documents are marked on behalf of the respondent. But after remittance of the matter from the High Court for fresh disposal no fresh evidence is let in nor any documents are marked on either side. None of the parties filed any memos to treat the previous evidence and documents marked as their evidence and documents. But it is the not the question now; even without marking the documents the court is at liberty to peruse the documents filed on their behalf along with the petition and counter.

13. During the course of enquiry, the petitioner's counsel filed a memo U/Sec. 11-A of the I.D. Act, 1947 on 6-6-2011 stating that the petitioner is admitted the enquiry to the extent of its validity and the same is recorded. So since the petitioner is admitting the validity of the enquiry, the question whether the enquiry was conducted in a gross violation of principles of natural justice or not does not arise. The point answered accordingly.

14. POINT No. 2 :

In the grounds of appeal the petitioner has took several pleas stating that the enquiry officer failed to see certain things and failed to give opportunity to him to cross examine the witnesses and none of the eye witnesses

were examined in the enquiry etc., But coming to enquiry he filed a memo U/Sec. 11-A of the I.D. Act not disputing and admitting the validity of the enquiry.

15. On perusal of statements recorded during the enquiry it can be noticed that the enquiry officer has asked the petitioner to cross examine the witnesses on their evidence but he replied that he do not having anything to examine him. The same is recorded in the statements and they were signed by enquiry officer, witnesses and the petitioner also. So the question of the enquiry officer not giving the opportunity to the petitioner to cross examine the witnesses does not arise and falls to the ground in the light of the memo filed by the petitioner U/Sec. 11-A of the I.D. Act. But it is one of the grounds of the petitioner in the I.D., petition that the order of the respondent is too harsh and disproportionate to the charges framed against the petitioner. The enquiry report of the enquiry officer is based on the statements of witnesses examined during the enquiry and there was no cross examination by the respondent. The enquiry officer found both the charges under respondent's/company's standing orders No. 16(6) & 16(9) are proved. 16(6) is habituated negligence or negligent of work. 16(9) is causing damage to work in progress or to the company's property.

16. After receipt of the report the respondent issued a notice calling for the explanation of the petitioner on 13-3-1992. For that the petitioner submitted his explanation to the above notice on 28-5-1992 reiterating his explanation to the charges and also his statement recorded during the enquiry, but it was not considered by the respondent and issued proceedings dismissing the petitioner from service w.e.f. 28-8-1992, the proc., dt. 27-8-1992. In this it is stated by the respondent that the charges levelled against the petitioner are serious and the punishment warranted is that of dismissal. This dismissal order do not show that rule or order of the standing orders of the respondent company warrants dismissal for the violation of company's standing orders No. 16(6) & 16(9). It is also do not disclose how the respondent found to be unsatisfactory with the explanation dt. 28-5-1992 to the notice dt. 13-5-1992 issued to the petitioner.

17. Apart from all the above the enquiry report of the enquiry officer do not disclose what is the worth of the property of the respondent committed theft. During the enquiry only one eye witness by name Sri. Ch. Prabhakar is examined; the two other witnesses examined on behalf of management i.e., Sri D. V. Prasada Rao, Sri Allam Kondaiah are not the eye witnesses. Even according to the evidence of Sri Ch. Prabhakar he had seen a van covered by Tarpaulin at black smith shed. On seeing it he stood up and watching it, then he observed that some persons with lungies carrying some material and loading in it, then Sri Johny come into his side so he enquired about the van, but he pleaded he do not know anything, then he told the matter to Sri Kalle Kondaiah. When it

the evidence of the witness, it is the burden of the respondent to show this black smith shed can be reached only through Gate No. 2 at which the petitioner was entrusted duty at the gate No. 2 as a Watchman, but there is no connecting evidence to establish that this black smith shed can be reached only through gate No. 2 and by no other way.

18. According to the evidence of Allam Kondaiah the petitioner was fast vigilant at the time this witness was going for tea on the date of incident. Mr. Prasada Rao is not an eye witness his statement/evidence is based on the others information to him. The evidence/statement of Allam Komaraiyah is that when he was informed by the Prabhakar, acting driver that a van has entered into the mine premises through gate No. 2, then this witness came to petitioner, who is standing at gate No. 1 and informed about the van movements and taking place of theft of pipes and belt shrings then the petitioner told him that he do not know about the van and also told that it may belongs to police personnel. This fact is mentioned by the petitioner in his statement before the enquiry officer and also in his explanation to the show cause notice, but it was not considered by the respondent before passing dismissal order. The respondent also failed to establish what are the properties of the respondent that kept in front of the gate No. 2 and what are the properties among them were committed theft and their value.

19. Further it is mentioned in the dismissal order that the respondent gone through the petitioner's past record and found that there are no extenuating circumstances to take a lenient view. He did not disclose what are the past records of the petitioner the respondent has gone through and what they discloses.

20. So in view of failure of the respondent to establish the value of the properties that was lost in the theft, failure of the respondent not considering the explanation of the petitioner to the show cause notice and not mentioning the penal standing orders for mis-conduct under company's standing orders 16(6) & 16(9) and not mentioning what was the past record of the petitioner shows and mentioned in the dismissal order.

21. So, I satisfied that the order of the dismissal of the petitioner from service is not justified. No doubt the petitioner left the duty place i.e., gate No. 2 and went to gate No. 1 to accommodate the Watchman at gate No. 1. Even then, the evidence of eye witness during the enquiry shows that the petitioner was vigilant at the time of incident.

22. Under the above circumstances, I am under the considered opinion that the punishment of dismissal is very much disproportionate to the charges proved against the petitioner. As such it is against to the principles of natural justice. The respondent ought to have warned or

warned the petitioner for his violation of standing orders 16(6) & 16(9) or ought to have stopped payment of that days salary or stop the increments for a certain period. But imposing of punishment of dismissal under any circumstances is not justified. Therefore, I hold that the order of dismissal of the petitioner from service is liable to be set aside.

23. While arguing the case, the counsel for the petitioner contended that the enquiry conducted against the petitioner was in gross violation of principles of natural justice and basing such enquiry report, removal of the petitioner from services is not justified as such it is liable to be set aside and therefore prays to order for reinstatement of the petitioner into service with all back wages, continuity of service and other attendant benefits.

24. In support of his argument he relied on a decision reported in 2006(II) LLJ-270-271 of Supreme Court of India.

25. The facts of the above case are quite different to that of the facts of the present case. The above cited case pertains to removal of a Junior Engineer in Telegraph department on charges of not maintaining ACE-8 Register. But removal based on finding of misappropriation of 4000 Kgs, of Telegraphic wire. In this case it is observed evidently the evidence recorded by the enquiry officer and inferences drawn by him were not commensurate and further observed such a serious charge could not have been enquired without appropriate charges. The charges are otherwise vague.

26. But in the present case it is not so. The petitioner is not disputing the validity of the enquiry conducted against him and to consider his case U/Sec. 11-A of the ID Act as the punishment imposed against him that is removal from service is not proportionate to the non compliance of the respondent's company's regulations.

27. So I am under considered view the above case law is not applicable to the facts of the present case. The point is answered accordingly.

28. POINT No. 3 :

In the circumstances of the case and in view of my findings on Point No. 1 & 2, I am under considered opinion an order of directing the respondent to reinstate the petitioner into service with continuity of service by setting aside the dismissal order with 50% of back wages and with all other attendant benefits would meet the ends of justice.

29. Therefore, the petition is allowed with costs and the order of dismissal of the petitioner from service is set aside and the respondent is directed to reinstate the petitioner into service with continuity of service and with 50% of back wages and with all other attendant benefits within one month from the date of gazette publication of this award.

Accordingly the I.D. is disposed of.

M. SYAMALARAO, Chairman-cum-Presiding Officer

**Appendix of Evidence
Witnesses Examined**

For Workman : For Management :

-Nil- -Nil-

EXHIBITS

For Workman : For Management :

-Nil- -Nil-

नई दिल्ली, 30 अगस्त, 2011

का.आ. 2652.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार सेन्ट्रल कोलफिल्ड लिमिटेड के प्रबंधकों के संबंध में निधियों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण/न्यायालय, धनबाद नं.-2 के पंचाट (संदर्भ संख्या 219/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-8-2011 को प्राप्त हुआ था।

[सं. एल-20012/552/1997-आई आर (सी-1)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 30th August, 2011

S.O. 2652.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 219/1998) of the Central Government Industrial Tribunal-cum-Labour Court-2, Dhanbad, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Central Coalfields Ltd., and their workman, which was received by the Central Government on 30-8-2011.

[No. L-20012/552/1997-IR (C-I)]

D.S.S. SRINIVASARAO, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD**

PRESENT:

SHRI KISHORI RAM, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D. Act, 1947.

Reference No. 219 of 1998

PARTIES:

Employers in relation to the management of Bhurkunda Colliery of M/s. Central Coalfields Ltd. and their workmen.

APPEARANCES:

On behalf of the workmen : Mr. R. N. Ganguly,
Advocate

On behalf of the employers : Mr. D. K. Verma,
Advocate

STATE : Jharkhand

INDUSTRY : Coal

Dhanbad, the 22nd August, 2011

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/552/97-IR(C-I), dated, the 30th November, 1998.

SCHEDULE

"Whether the action of management of CCL in imparting theoretical or practical training to Sri Tapas Mukherjee and 27 others (as per list) and thereafter putting them on the job of Overseer (Civil) in Technical and Supervisory Grade 'B' and refusing to regularise them as Overseer (Civil) is proper and justified? If not, to what relief are these workmen entitled?"

2. The case of workmen Sri Tapas Mukherjee and 27 others as represented by the Union the National Coal Organisation Employees Association, Darbhanga House, Ranchi is that the workmen, earlier appointed in various disciplines, were accordingly working in various collieries of M/s. CCL. In order to generate the skilled and semi-skilled man power from amongst the permanent employees and the persons recruited under clause 9.4.2 and 9.4.3 of the N.C.W.A. as well as under the Land Loser Scheme having basic requisite qualification, as there was restriction to new/fresh recruitment, the management took a policy decision at the meeting of functional Directors on 2-7-91 to fill up the requirement in various disciplines from amongst the suitable employees through intensive training in Bhurkunda Technical Training Institute (B.T.T.I) and the Central Excavation Training Institute (C.E.T.I) by adopting a scheme of training known as "Approach Paper". As per basic qualification prescribed in the Approach Paper the workmen were selected and posted at B.T.T.I and C.E.T.I. After induction of training, the trade of training for each employee was decided through a written test followed by oral interview. It also stipulated that the total training would be for 1½ years after its completion, the trainees would be treated at par with I.T.I. trained persons and the trained employees would be ensured of the career growth as per cadre scheme of various disciplines under the N.C.W.A, giving them advantage of I.T.I. trained persons. After the selection of the workmen for training for Overseer

(Civil), the General Manager (H.R.D.), CCL by letter No. CCL/TRG/BTTI/77/93/605-46 dated 20-5-93 directed to the General Manager of their respective posted areas to release them from 27th May, 1993. Accordingly, the workmen after taking the training as Overseer (Civil) were placed on Category I as mentioned on the aforesaid "Approach Paper".

3. Further case of the workmen is that subsequently the Management extended the training for 1½ years more on the job training, thus made the total duration of training for 3 years with a clear commitment as per the General Manager (HRD's) letter No. Trg./77/BTTI/95/625-27 dt. 3rd May, 1995 that they would be given appropriate designation on completion of their training for three years. They successfully completed their three years' training out of which one and half year was on the job practical training during which they had been regularly working as Overseer (C) and are still independently working as fullfledged Overseer (Civil) at different unit under C.C.L since 27-5-96, but despite repeated representations, the Management did not regularise them as Overseer (Civil) whenever the workmen became eligible for the placement in Tech. and Supervisory Grade 'B' as Overseer (Civil) as its aforesaid commitment in the Approach Paper as well as the G.M. (H.R.D's) aforesaid letter. Moreover, they acquired the status of permanent workmen on the post of Overseer (Civil) as per the provisions of the Certified Standing Order of the Company applicable to them. On the failure of the conciliation proceeding for the industrial dispute due to adamant attitude of the management raised by the Union before the ALC(C), Ranchi, it resulted in the reference for adjudication. So the refusal of the management to their regularisation as Overseer (Civil) is utterly unjustified. It is also urged for their retrospective regularisation in Tech. and Supervisory Grade 'B' with all wages and other consequential benefits.

4. In rejoinder, specifically disputing the management's allegation about its maintainability the Union concerned pleaded on behalf of the workmen that the case is only related to their placement and regularisation in the proper category and grade they are working since long under the instruction and order of the Management. They possess educational qualifications prescribed and conducted by the Management. It is not a case of induction. As the management is taking work of Civil Overseer from them since long without paying the wages thereof, their inclusion on its seniority list from the date of their accordingly working will not affect anybody on account of their regularisation. The J.B.C.C.I. and N.C.W.A recommend proper wages to all workmen for the job they performed, but neither the provisions prescribes to pay Cat. I wages to Civil Overseer.

5. Whereas the case of the management is that Joint Bi-partite Committee (hereinafter referred to JBCCI) consisting of the Central Trade Union Representatives

and the Management for Coal Industry time to time approves and issue Cadre Scheme for different cadres since its constitution for the purpose of wage negotiations, pay structure, cadre scheme, promotional channel/policy in Coal India and its subsidiaries. The Management of Coal India or its subsidiaries including CCL have no right to over-ride the same. As per Implementation Instruction No. 33 dt. 22-6-80 issued and circulated cadre scheme for Coal Engineering Personnel (its extract added in the pleading). it provides for entry of persons passing Matriculation or equivalent examination with recognised Diploma in Civil Engg. in Grade-C as Overseer. It also clarifies the educational qualification "as recognised by the Central or State Govt. or as prescribed and conducted by the Company." The workmen Tapas Mukherjee and 27 others were matriculates, and were selected for value addition for facilitating required skill for procuring Diploma/requisite certificates recognised by the Central or State Govt. for their career growth in Civil Engg. Cadre. The Central Coal-fields Ltd. has two Training Institutes. Bhurkunda Technical Training Institute and Central Excavation Training Institute which since their inception extend aforesaid value addition to existing employees to enable them to have required competency certificate from different cadres concerned. None of the trainees except these workmen have ever claimed for any placement or promotion based on value addition imparted to them at the aforesaid Training Institutes.

6. Further case of the management is that the Trainees after getting their required certificates of value addition are considered for promotion against vacancy through Departmental Promotion Committee. But these workmen failed to producer Diploma required for entry on Civil Cadre, so they are not entitled to absorption as Overseer in Tech. and Sup. Grade-C or even to further promotion. The induction of these workmen in Civil Cadre will adversely affect the existing seniority and prospect of all those employees with requisite qualification already in the cadre for no fault on their part. The sponsoring Union being affiliated to the Indian Trade Union ought to have approached the Joint Bipartite Committee for amendment of the existing Cadre Scheme for their inclusion in the main stream of the Civil Engineering Cadre and for their suitable placement below Tec. and Sup. Grade-C. No union can raise any such demand inconsistent with the N.C.W.A and the Joint Bipartite Committee. The Sponsoring Union has failed to appreciate the benevolent act of the management to put the workmen on practical training and to get their necessary certificates from the institute on Civil Engineering subjects, while continuing to receive the wages they were getting. The certificates granted by the Institute are incomparable with the Diplomas on Civil Engineering obtained by the persons after three years study on the institutes recognised by the Govt. The diploma holders are appointed as Overseer in Grade-C, so no question of appointing the workmen in Grade-B on the

strength of their aforesaid Training Certificate does arise. Imparting theoretical and practical training under the scheme of the Management for value addition on with the required skill for procuring Diploma for Civil Engineering does not confer upon the workmen or the Union any right to claim for promotion in Tech. and Sup. Grade B in Civil Engineering Cadre. The workmen after procuring from different categories were imparted the training in different skills with a view to facilitate growth opportunities to them, but it does not mean their elevation without requisite qualification. So the demand of the Union for putting them in Grade B is illegal and unjustified.

7. The Management in its rejoinder has pleaded that it has established the training institutes for imparting training to internal candidates suitable for technical jobs with a view to fill up future vacancies, and also to provide opportunities to them having requisite qualifications and aptitude for technical jobs. The Cadre Scheme does not provide for placement of such candidates having no competency to supervise and plan any building structure etc.

FINDINGS WITH REASONINGS

8. In this case, WW-1 Amal Bhattacharyya as the Addl. General Secretary of the Sponsoring Union, WW-2 Manoj Kumar Singh, one of the workman on behalf of the Union concerned, and MW-1 Som Nath Basak, the Senior Personnel Officer, and MW-2 Abhijit Sinha, the Superintendent of Mines, from the side of the Management have been examined.

The statement of WW-1 Amal Bhattacharyya, the Additional General Secretary of the sponsoring Union as the representative of the workmen is that the workmen are the permanent employees of the management at the relevant time (1991), the management stopped recruitment of fresh candidates for the posts of Overseers Civil, so as per the approach papers (Ext. W-2 with objection, as the policy decision) of the management as approved by its functional directors (Ext. W-3 with objection), the management issued the circular (Ext. W-1) inviting applications from the candidates having their appointment under clause 9.4.2 and 9.4.3 subject to the fulfilment of certain conditions for imparting training of Civil Overseers. Accordingly, the concerned workmen on their applications for it were interviewed and selected for the posts of Overseer Civil. As per the GM's letter (Ext. W-4 with objection), the management concerned released the selected candidates for the training and accordingly the workman as per the order (Ext. W-5 with objection) get their training from their respective place of posting and they are still working there in C-at. I General Mazdoor. As per the management's order dt. 3-5-1995 (Ext. W-6 with objection), the workmen concerned were assured to get their proper grade after completion of their three years training but they were not provided their actual grade;

hence the industrial dispute raised for adjudication. The witness (WW-1) in cross-examination has admitted that none of the workmen possesses any diploma in Civil Engineering, that the departmental promotion is given to the workmen through the D.P.C. (Departmental Promotion Committee), that the approach paper was not according to the cadre scheme, and that the clause 2 of the JBCCI circular Civil Engineering (Overseer) mentions the specified qualification of a candidate for his selection to the post of Overseer under the management.

9. WW-2 Manoj Kumar Singh, (Sl. No. 14 of the list of the workmen annexed with the order of Reference) appears to have corroborated the evidence of aforesaid WW-1 Amol Bhattacharyya (representative of the workman). By proving the authorisation letters as Ext. W-7 series by the management to them to work as Civil (Overseer) at different collieries, the witness has stated that all of them (workmen) started working as the Civil Overseer Trainee till date without providing them the required grade but paying them the wagers as Category-I Mazdoor. But on perusal of the aforesaid authorisation letters (Ext. W-7 series), I find the statement of this workman as WW-2 about their working as General Mazdoor in Category-I stands belied by Extt. W-7/6 and Ext. W-7/7 which show crystal clearly Shri Avinash Kumar Tewary and M. Akhtar (the workmen Sl. Nos. 23 and 12 of the list of the workmen annexed with the order of reference) respectively as Clerk Grade-III/Grade-II. All the authorisation letter appear to be issued by the management including two certificates (Ext. W-7/1 and Ext. W-7/5 concerning Hemant Sharan and Bhuneswar Kumar Singh) between the years 1997 to 2001 to the concerned workmen as Overseer (C Trainee) for their respective assignments. This witness Manoj Kumar Singh (WW-2) in his cross-examination has evidently admitted that none of them has any Diploma in Civil Engineering though the post of the Civil Overseer is filled up as per recommendation of the D.P.C. on the basis of vacancy available. It is also his admission that they were selected for training of overseer which included the theoretical and practical on the civil side under the Institute concerned of the CCL and after the completion of training they returned back to their original jobs in the Civil. Expressing his ignorance of the arrangement by the management for their training to obtain their additional qualification, he (WW-2) has though claimed that the management in the letter of their training had assured to provide them the job of Civil Overseer after the completion of their training from the institute concerned yet he did not produce the letter. It is pertinent to mention that as per the CCL's letter dt. 3-5-95 (Ext. W-6 with objection), the claim of the witness appears to be contrary to the contents of it as under :

"... they will be given appropriate designation after three years. In the meantime the subject has been referred to CIL for their decision."

10. Whereas the statement of MW-1 Somnath Basak, the Senior Personnel Officer attached to Bhurkhunda Technical Training Institute (BTIT) under CCL is that they give training to the unskilled workers to enable them to obtain their recognised qualification from recognised authority but no workmen can claim promotion to higher post on that basis, as promotion to workmen is given by the management as per Cadre Scheme and a workman for promotion in Overseer's Grade-C must possess Matriculation Certificate from the recognised Board with Diploma in Civil Engineering from the recognised Institute under any Government. According to the witness as per qualification for the post of Overseer, Certificate in I.T.I is not considered as minimum qualification to be placed in the Grade of Civil Overseers.

11. The testimony of MW-2 Abhijit Sinha, the Supdt. of Mines posted at CCL Headquarters, Ranchi under Human Resources Department also asserts that for the post of Overseer, minimum qualification is Matriculation with Diploma of three years courses in Civil Engineering from the Institute concerned recognised either by the State or by the Central Government. To him, the management launched a programme for giving training to the workmen having matriculation certificate to get themselves equipped for appearing in Civil Engineering Diploma Examination conducted by any recognised Institute under State or Central Government but there is no provision to recognise any workman as a Diploma Engineer after completing his training from our Institute. The Director Personnel is only the competent authority to issue an order for the placement of workmen concerned in appropriate grade after completion of their training, though such order was assured by the G.M. to his knowledge.

12. Mr. R. N. Ganguly submits that since these workmen after getting the theoretical and practical training are put on the job of Overseer Civil, so their claim for regularisation accordingly is justified. In response to it Mr. D. K. Verma, the Ld. Advocate for the management submits the workmen's claim based on their training as Overseer (Civil) cannot be legally justified, as the trainees after getting their required certificate of value addition are considered for promotion against vacancy through the Departmental Promotion Committee (D.P.C.) but the workmen have admittedly not got any Diploma required for their entry in the Civil Cadre of overseer from any recognised Institute.

13. On the consideration of the aforesaid discussed facts as well as laws and in view of the submissions of the aforesaid Ld. Counsels for the respective parties, I find that admittedly none of the workmen has any requisite qualification i.e. any Diploma in Civil Engineering required for the post of Overseer Civil which is under Cadre Scheme. But in the instant case the workmen by virtue of the acquisition of their training in

the Civil Engineer under the management being imparted as a value addition to their skill for their job concerned may be deemed to have acquired their requisite qualification equivalent to the Diploma in Civil Engineering, so their absorption as Overseer (Civil) would be worth considering only on the availability of the vacancies for the post of Overseer Civil, through D.P.C., which totally lies in the domain of the management's policy, as the induction of these workmen directly in the Civil Cadre will adversely affect the existing seniority and prospects of all those employees having requisite qualification already in the cadre for no fault on their part. Under these circumstances I hold that the action of the management of CCL in imparting theoretical or practical training to Shri Tapas Mukherjee and 27 others (as per list) was justified based on value addition to their skill in their jobs but the Union has failed to make out their case of putting them on the job of Overseer (Civil) in Technical and Supervisory Grade-B. Hence, the action of the management in refusing to regularise them as overseer (Civil) is quite legally proper and justified. So, the workmen are not entitled to any relief as claimed by them.

KISHORI RAM, Presiding Officer

LIST OF WORKMEN

(Ref. No. 219/98-Ministry's Order No. L-20012/552/97-IR (C-I) dt. 30-11-98 and L-22012/552/97-IR (C.I) dt. 9-6-2011)

Sl. No. Name

1. Sri Tapas Mukherjee
2. „ Kamlesh Kumar Mallick
3. „ Hari Shankar Prasad
4. „ Ganshyam Kumar Singh
5. „ Bijay Kumar Paswan
6. „ Rajendra Prasad Khanna
7. „ Dyuti Nath Mahato
8. „ Bhuneshwar Kumar Singh
9. „ Dinesh Prasad Jaiswal
10. „ Bodha Nonia
11. „ Kumar Navin Rana
12. „ M. Akhtar
13. „ Hemant Kumar Sharan
14. „ Manoj Kumar Singh
15. „ Z. I. Ansari

Sl. No. Name

Reference No. 63 of 2000

16. Shri Ram Bijay Singh
17. „ Bijay Inder
18. „ Subodh Kumar Yadav
19. „ Kaleshwar Minj
20. „ Binod Kumar Paul
21. „ Raju Choudhary
22. „ Prakash Sinha
23. „ Avinash Kumar Tiwari
24. „ Sudhir Prasad Singh
25. „ Ruplal Singh
26. „ Vinod Biswakarma
27. „ Chandresh
28. „ Notibar

PARTIES :

Employers in relation to the management of Golukdih O.C.P. of M/s. B.C.C. Ltd.

AND

Their Workman

PRESENT :

Shri H.M. Singh, Presiding Officer

APPEARANCES :

For the Employers : None.

For the Workman : Shri K.N. Singh,
Advocate

State : Jharkhand

Industry : Coal

Dated, the 24th August, 2011

AWARD

By Order No. L-20012/265/99-C-I dated 21-1-2000 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-sec. (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the demand of the union for regularisation of Sri Amrit Mondal, fitter in the post of Clerk in Golukdih O.C.P. is justified, on the ground that the workman has actually been performing the duties of Clerk ? If so, to what relief is the workman entitled and from what dates ?”

2. The case of the concerned workman is that he is a permanent employee of Golukdih O.C.P. designated as fitter. He has been working as a Clerk since 1994 as per direction of the management. In the year 1995 he represented before the management for his regularisation as Clerk. When the management did not consider the demand for regularisation of the concerned workman an industrial dispute was raised before the A.L.C.(C). Dhanbad, but the conciliation proceeding ended in failure, which resulted in present reference to this Tribunal. Although the concerned workman has been working against a permanent vacancy of the post for more than six years continuously in the above project, he is entitled for regularisation and payment of wages under N.C.W.A. The action of the management for not regularising the workman is not justified.

It has been prayed that the Hon'ble Tribunal be pleased to hold that the action of the management in denying to the concerned workman regularisation as Clerk w.e.f. 15-3-94 is not justified, consequently he is entitled

नई दिल्ली, 30 अगस्त, 2011

क्र.आ. 2653.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद नं.-1 के पंचाट (संदर्भ संख्या 63/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-8-2011 को प्राप्त हुआ था।

[सं. एल-20012/265/1999-आई आर (सी-1)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 30th August, 2011

S.O. 2653.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 63/2000) of the Central Government Industrial Tribunal-cum-Labour Court-1, Dhanbad, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL, and their workman, which was received by the Central Government on 30-8-2011.

[No. L-20012/265/1999-IR (C-I)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. I,
DHANBAD**

In the matter of a reference U/S. 10(1) (d) (2A) of I.D. Act.

to the post of Clerk and grade with back wages and other emoluments as admissible to him.

3. The case of the management is that no rule exists for regularisation of time rated or piece rated worker into clerical cadre, on the contrary, ban has been imposed by the management by issuing circular dated 1-7-92 prohibiting diversion of piece rated and time rated workers into clerical cadre. It has been submitted that the concerned workman was working as a fitter in Golukdih Opencast Project and he made an attempt with the help of his union leader and the local officer to perform some clerical jobs for some time and advanced his claim for his regularisation on the clerical post. As the local officer has not been empowered to pass any order for regularisation of a piece rated or time rated worker, no local officer can regularise the concerned workman on clerical post. The sponsoring union with a view to get the workman regularised on clerical cadre submitted his demand to General Manager, the cadre controlling authority and to the headquarter and has raised the present dispute when the competent authorities refused to entertain such mal practice of regularisation in flagrant violation of the company's directive. It has been denied that the concerned workman is entitled to be regularised as clerk.

Under the facts and circumstances stated above. It has been prayed that the Hon'ble Tribunal be graciously pleased to pass an award holding that the concerned workman is not entitled to any relief.

4. Both the parties have filed their respective rejoinders admitting and denying the contents of some of the paragraphs of each other's written statement.

5. The concerned workman has produced himself as WW-1 and proved documents as Exts. W-1 to M-5.

The management has produced MW-1, Adish Yadav.

6. Main argument advanced on behalf of the concerned workman is that he has been working in the post of clerk since 15-3-94, but the management has not regularised him. In this respect he has filed papers and orders of the management. As per Ext. W-2 the concerned workman has been designated as clerk by Dy. Chief Personnel Manager, Bastacola Area. As per Ext. W-4 he has been ordered to work in place of previous clerk on 19-2-99. This statement of the management shows that the concerned workman is working from 15-3-94 as clerk mentioned at sl. no. 10 of list of time rated person working in monthly rated jobs. By letter dated 20-11-1995 the Dy. Personnel Manager requested the Personnel Department for regularising the concerned workman as clerk because he is working as clerk since 15-3-94 and he is matriculate.

7. The management's witness MW-1, Adish Yadav, during his cross-examination admitted that sometimes the concerned workman was the attendance clerk casually. He has also stated that I have no knowledge if the concerned workman was authorised to work as Attendance Clerk. In Ext. W-5 he admitted that the concerned workman was working as Attendance Clerk. Ext. W-5 shows that the concerned workman was shown by Office Order dated 29-10-2004 was working as Assistant Clerk for shift duty with other clerks. As per Office Order dated 23-1-2006 it has been ordered to work on Sunday and Holiday restricted to 25 days and this attendance should be excluded from the above heads. As per order of the management dated 31-12-2004 the concerned workman has been directed to maintain records regarding deployment of person working on Sunday/Holiday, his designation has been mentioned as A/Clerk and a letter written on 1-10-2004 he has also been shown working as Clerk though his post is Fitter. As per letter dated 26-10-2004 of the management the concerned workman was on duty in 'A' shift of 25-10-2004 as Attendance Clerk. During surprise inspection of his attendance register it was found that he marked attendance of Sri Ashok Kr. Pandey, shovel operator at 6.30 A.M. i.e. after one and half hrs of start of his shift. Explanation was asked from the concerned workman by the management. As per letter from the Project Officer, G.O.C.P. dated 28-9-1998 it has been requested to the Dy. Personnel Manager, Bastacola Area for regularising the concerned workman to the post of clerk because his is working since 1994. Another letter dated 9-7-2010 written by the Dy. Chief Personnel Manager, Bastacolla Area to the General Manager (P and IR), BCCL, Koyla Bhawan, regarding not regularising Sri Amrit Mondal, E.P. Fitter, to the post clerk, though other persons have been regularised.

8. Considering the above facts and circumstances, it shows that the concerned was doing the job of clerk since 15-3-94 as per order of the management on different times taking work of clerk since 15-3-94 and other persons have been regularised by the management for doing the job of clerk, so, the concerned workman is entitled for regularisation in Clerk Grade-III from 15-3-1994.

9. In the result, I render the following award :

The demand of the union for regularisation of Sri Amrit Mondal, fitter, in the post of Clerk in Golukdih O.C.P. is justified on the ground that the workman has actually been performing the duties of Clerk, so, the concerned workman is entitled for regularisation in Clerk Grade-III from 15-3-1994. The management is directed to implement the award within 30 days from the date of publication of the award.

H. M. SINGH, Presiding Officer

नई दिल्ली, 30 अगस्त, 2011

का. आ. 2654.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार टी.आई.एस.सी. ओ. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, धनबाद के पंचाट (संदर्भ संख्या 68/1996) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-8-2011 को प्राप्त हुआ था।

[सं. एल-20012/281/1995-आई आर (सी-I)]

डी.एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 30 August, 2011

S.O. 2654.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 68/1996) of the Central Government Industrial Tribunal-cum-Labour Court-1, Dhanbad, now as shown in the Annexure in the industrial dispute between the employers in relation to the management of M/s. TISCO Ltd., and their workman, which was received by the Central Government on 30-8-2011.

[No. L-20012/281/1995-IR (C-I)]

D. S. S. SRINIVASARAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference U/s. 10(1)(d)(2A)
of the I.D. Act

Reference No. 68 of 1996

PARTIES:

Employers in relation to the management of
M/s. TISCO Ltd. Jamadoba

AND

Their Workman

PRESENT:

Shri H. M. Singh, Presiding Officer

APPEARANCES:

For the Employers : Shri D. K. Verma, Advocate

For the Workman : None

State : Jharkhand

Industry : Coal

Dhanbad, the 25-8-2011

AWARD

By Order No. L-20012/281/95-IR (C-I), dated
4-12-1996 the Central Government in the Ministry of Labour

has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-sec. (2A) of Section 10 of the I.D. Act, 1947, referred the following dispute for adjudication to this Tribunal :

SCHEDULE

“Whether the action of the management in not providing employment to Smt. Ranjit Kaur, wife of Late Baldeo Singh is justified? If not, to what relief is Smt. Kaur entitled?”

2. The case of the petitioner is that Smt. Ranjeet Kaur is the wife of late Baldeo Singh, who was an employee of Jamadoba Colliery and died due to accident on 26-10-82 at Jogta Rly. Station (run-over by the train). The deceased workman was appointed in the management's colliery at Jamadoba on 8-3-1966 and continued till his death. After death of the deceased late Baldeo Singh, his dependent family i.e. wife, Smt. Ranjeet Kaur represented to the management on 10-12-82 for her employment. The petitioner approached the union and on her behalf the union represented her case before the management for her or her son's employment in the management's colliery. The management informed the petitioner vide letter dated 11-2-1983 that as per procedure one dependent of an employee, who dies in service, having served the company for 20 years and that he would have completed 30 years of service, had been living to continue in his job till his superannuation, is given an outright employment, if none of his dependent has earlier been employed on his service strength. But late Baldeo Singh had only completed 16 years service as such she is not entitled. In this respect, it has been stated that there is difference between death i.e. due to some diseases and accidental death, as such the above conditions should not be applicable to the petitioner and therefore, she should be provided employment outright basis so as to save the starving family members of the petitioner. The management again vide letter dated 11-2-83 advised the petitioner to get enrolled her or her dependent's name to the employees' dependent register maintained in the Central Workshop and the case shall be considered alongwith others in order of seniority when jobs become available at Central Workshop where the deceased worker was posted at the time of his death. It has been stated that the management has been indirectly refusing the employment. Thereafter an industrial dispute was raised before the A.L.C. (C) which ended in failure and the appropriate Government referred the dispute to this Hon'ble Tribunal for adjudication. It has been stated that the refusal of non-providing employment to the petitioner is bad in law and likely to be rejected.

In such circumstances, it has been prayed that this Hon'ble Tribunal be pleased to pass an award in favour of the petitioner.

3. The case of the management is that the present reference is arising out of the demand of the concerned lady for her employment claiming to be the wife of late Baldeo Singh, who was a workman of Central Workshop of Jamadoba Colliery. It has been submitted that the management adopted the procedure for employment of dependents much before coming into force of NCWAs and, according to the procedure, each and every employee of the company has been provided opportunity to get his two dependents enrolled in order of preference in the employees' dependent register after he puts continuous service for a period of 15 years. The dependent found suitable for employment is selected and recruited against existing vacancies at a particular time according to seniority of the employee and the number of existing vacancies are filled up by such dependants selected in order of seniority. The concerned workman, Baldeo Singh was appointed on 8-3-66 as Fitter Mazdoor and he expired on 26-10-82. His death was not due to any accident arising out of and in the course of employment in any mine. The concerned workman had completed 16 years of service and he was eligible to get one of his dependents enrolled in the employees' dependent register. He did not get any of his dependents enrolled in the dependents register, but at the request of the concerned lady who posed herself as the wife of late Baldeo Singh, one person, named, Sri Sukhpal Singh, son of late Baldeo Singh was enrolled as a dependent of the aforesaid workman in the employees dependent register on 14-3-83. It has been submitted that as per the seniority amongst the dependents on the strength of number of years of service put by the guardian employees, the case of Sukhpal Singh has remained in the waiting list as many dependents senior to him have not been provided employment. The concerned lady has no locus standi to raise any industrial dispute or to advance any claim against the management for employment and the present reference is without any basis and the concerned lady is not entitled to any relief.

It has been prayed before the Hon'ble Tribunal to please pass an award holding that the concerned lady is not entitled to any relief.

4. Both the parties have filed their respective rejoinders admitting and denying the contents of some of the paragraphs of each other's written statement.

5. The management has produced MW-1, Vinay Pandey, and proved documents Exts. M-1 to M-6.

The concerned petitioner, Smt. Ranjit Kaur, has examined herself as WW-1 and proved documents as Exts. W-1 to W-6.

6. Main argument advanced on behalf of the concerned petitioner is that her husband, Baldeo Singh, who has put more than 16 years of service with the management died on 26-10-82 due to accident during the course of employment and run-over by the train at Jogta Rly. Station. He was appointed in Jamadoba colliery on 8-3-66. After the death of her husband, she represented before the management for her employment. After the death of deceased worker, the father of the deceased worker was looking after his wife and children, but he has retired from service in 1983. It has also been argued that the dependent son of the deceased worker be given employment.

7. The management's representative argued that there is no possibility of employment giving with the management. It has also been argued that there is circular as per (M-4) the provision of NCWAs is not applicable to the dependent employment and Ext. M-5 is union's letter to the management to follow the rules of the company regarding dependent employment. Ext. M-6 is the award in which NCWA is not applicable in respect of TATA company.

Management's witness stated that there is a circular regarding dependent employment and according to the circular, Ext. M-3 a female is not counted as dependent.

In this respect the management witness's cross-examination is very much material. MW-1 in his cross-examination stated that only when a workman dies due to accident while discharging his official duty there is provision for giving employment to one of his dependent. No any panel list is prepared for giving employment on compassionate ground. After 15 years of service in the management enrolment is being made of the dependant of a particular workman for the purpose of future employment against vacancy as per the turn. As I have already said earlier no panel is being prepared for providing employment on compassionate ground. The evidence of the management shows that the deceased workman's son, Sukhpal Singh's name has been maintained for giving employment by the management in Dependents' Register when vacancy will arise. It shows that the management is very much interested to give employment to the deceased employee's son, Sukhpal Singh.

8. The concerned petitioner, in her evidence stated in cross-examination that I had given the name of Sukhpal Singh for his employment in place of my husband.

Considering the above facts it shows that when the management has considered employment of deceased worker's son, Sukhpal Singh, as per service record of Baldeo Singh (Ext. M-1).

9. In the result, I hold that the action of the management in not providing employment to Smt. Ranjit Kaur, wife of late Baldeo Singh is justified. But the management is directed to give employment to her son, Sukhpal Singh, whose name has been entered in the Dependents' Register, and who is son of late Baldeo Singh.

This is my Award.

H. M. SINGH, Presiding Officer

नई दिल्ली, 30 अगस्त, 2011

क्र. आ. 2655.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/भ्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ संख्या 295/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-8-2011 को प्राप्त हुआ था।

[सं. एल-20012/386/2001-आई आर (सी-1)]
डी.एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 30th August, 2011

S.O. 2655.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 295/2001) of the Central Government Industrial Tribunal-cum-Labour Court-2, Dhanbad, now as shown in the Annexure in the industrial dispute between the employers in relation to the management of M/s. BCCL, and their workman, which was received by the Central Government on 30-8-2011.

[No. L-20012/386/2001-IR (C-I)]
D. S. S. SRINIVASARAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

Shri Kishori Ram, Presiding Officer

In the matter of an Industrial Dispute under
Section 10(1)(d) of the I.D. Act, 1947

Reference No. 295 of 2001

PARTIES:

Employers in relation to the management of
Bastacola Area of M/s. BCCL and their
workman.

APPEARANCES:

On behalf of the workman : None

On behalf of the employers : Mr. U. N. Lal,
Advocate

State : Jharkhand

Industry : Coal

Dhanbad, the 17th August, 2011

ORDER

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/386/2001-IR (C-I), dated, 7-11-2001.

SCHEDULE

"KYA MESSRS BHARAT COKING COAL LIMITED DWARA GOLAKDIH OPEN CAST PROJECT MEIN KARMKAR SHRI RAJKENDRA RAM KARMI SANKHYA-01320431 AUR SHRI RAMGEET MISTRY KARMI SANKHYA-00802256 KO LOADING CLERK KEY PAD PAR NIYAMIT NA KARNA AUR UNHEY UKT PAD KA VETANMAN NAHI DENA NAYA KEVAM VIDHIK DRISHTI SEY UUCHIT HAIN ?" YADI NAHI TO UKT KARMKAR KIN LAVON KO PANEEY KEY HAKDAR HAIN TATHA KIS TARIKH SEY "

2. Neither representative nor workmen Raj Kendra Ram and Ramgeet Mistry present. Mr. U. N. Lal, the Ld. Advocate for the management is present. Today it is fixed for hearing and order over the petition dt. 19-7-11 filed on behalf of the management. Mr. U. N. Lal, the Ld. Advocate for the management submits that both the aforesaid workmen are not interested to contest the case on account of the settlement dt. 27-8-09 with workmen Rajender Ram, the Fitter Helper, by virtue of which he has been regularised to the post of Clerk Grade-III as per Office Order No. 790A dt. 8-9-2009, but other workmen Ramgeet (Ramgati) Mistry was though regularised to the post of Clerk Gr. III in the year 2009 from the post of time rated category yet he declined to join it for his economic loss, so he accepted the Grade-C under S.L.U., expressing his diswillingness to withdraw the case. Therefore, the Ld. Counsel for the management submits that there is no longer any dispute for adjudication.

3. Perused the case record which has been pending for the evidence of the management since 12-12-2005. It is evident that the present case relates to non-

regularisation of both the aforesaid workmen as Loading Clerk and non-payment of their wages for it. In the instant case, both the workmen, namely Raj Kendra Ram as WW-1 and Ramgeet (Ramgati) Mistry as WW-2 have though themselves examined for their claim, yet now got their respective settlement and declination for their claim now. Since out of the two workmen, Raj Kendra Ram has settled his dispute with the management and other workman Ramgeet (Ramgati) Mistry declines to contest the case for the reason of his willingness to remain in Grade-C under the SLU, as his regularisation was causing economic loss.

In view of the aforesaid facts, I find no longer industrial dispute exists for adjudication. Hence, the case is closed and accordingly order is passed.

KISHORI RAM, Presiding Officer

नई दिल्ली, 30 अगस्त, 2011

का. अ. 2636.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ संख्या 5/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-8-2011 को प्राप्त हुआ था।

[सं. एल-20012/90/2006-आई आर (सी-1)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 30 August, 2011

S.O. 2636.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 5/2007) of the Central Government Industrial Tribunal-cum-Labour Court-2, Dhanbad, now as shown in the Annexure in the industrial dispute between the employers in relation to the management of M/s. BCCL and their workman, which was received by the Central Government on 30-8-2011.

[No. L-20012/90/2006-IR (C-I)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT

INDUSTRIAL TRIBUNAL (NO. 2)

AT DHANBAD

PRESENT:

Shri Kishori Ram, Presiding Officer

In the matter of an Industrial Dispute under
Section 10(1)(d) of the I.D. Act, 1947

Reference No. 5 of 2007

PARTIES:

Employers in relation to the management of
E.J. Area of M/s. BCCL and their workman.

APPEARANCES:

On behalf of the workman : None

On behalf of the employers : Mr. U. N. Lal,
Advocate

State : Jharkhand

Industry : Coal

Dhanbad, the 5th August, 2011

ORDER

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/90/2006-IR (C-I), dated, the 24th January, 2007.

SCHEDULE

"Whether the action of the management of Amalab Project of M/s. BCCL in dismissing Sh. Swapan Kumar Ojha, M/Loader from the services w.e.f. 4-7-2000 is justified and legal? If not, to what relief is the concerned workman entitled?"

2. None represented the Union/workmen. Shri Swapan Kumar Ojha, M/Loader nor any Written Statement filed on behalf of the workman. Mr. U. N. Lal, the Ld. Advocate for the management is present.

3. Perused the case record. It relates to the dismissal of the aforesaid workman by the management of Amalab Project of BCCL from his services with effect from 4-7-2000. It is also evident from the case record that despite several notices including registered one and show cause twice, lastly dated 16-12-2010, neither the representative nor the workman appeared and filed W.S., for which it has been all along pending since 8-11-2007. Under these circumstances, I find that the Union as well as the workman has no interest to contest the case which is the oldest one of 2007. Proceeding with the such case for infinite period is futile and useless. Hence, the case is closed and accordingly order is passed.

KISHORI RAM, Presiding Officer

नई दिल्ली, 30 अगस्त, 2011

का. अ. 2657.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण/श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ संख्या 32/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-8-2011 को प्राप्त हुआ था।

[सं. एल-20012/427/1997-आई आर (सी-1)]

डी.एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 30th August, 2011

S.O. 2657.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 32/1999) of the Central Government Industrial Tribunal-cum-Labour Court-2, Dhanbad, now as shown in the Annexure in the industrial dispute between the employers in relation to the management of M/s. BCCL, and their workman, which was received by the Central Government on 30-8-2011.

[No. L-20012/427/1997-IR (C-I)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

Shri Kishori Ram, Presiding Officer

In the matter of an Industrial Dispute under
Section 10(1)(d) of the I.D. Act, 1947

Reference No. 32 of 1999

PARTIES:

Employers in relation to the management of
M/s. BCCL and their workman.

APPEARANCES:

On behalf of the workman : None

On behalf of the employers : Mr. U. N. Lal,
Advocate

State : Jharkhand

Industry : Coal

ORDER

Dhanbad, the 22nd August, 2011

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/427/97-IR (C-I), dated, the 8th January, 1999.

SCHEDULE

“Whether the action of the management in not regularising Smt. Manju Bourin, Cat. I Mazdoor to

the post of Peon in the Central Workshop at Kustore Area of M/s. BCCL is justified? If not, to what relief the workman is entitled?”

2. Mr. N. G. Arun, representative of workman is not present nor the workman concerned Smt. Manju Baurin but Mr. U. N. Lal, the Ld. Advocate for the management is present.

3. Today not witness for evidence on behalf of the workman is present. Perused the case record. It is evident that the case has been pending for the evidence of the workman since 2-9-2006. Since then despite registered notices dt. 5-10-07 and 1-12-10 to the concerned Union as well as ample opportunity for it not a single witness has been produced for the evidence of the workman.

4. The present reference relates to non-regularisation of workman Smt. Manju Baurin Cat. I Mazdoor by the management to the post of Peon in the Central Workshop at Kustore Area of M/s. BCCL. Since the case is oldest one of the year 1999, in which even after giving a lot of opportunities to the Union/Workman for the evidence on her behalf, neither the documents nor any witness produced in behalf of her. Under these circumstances, proceeding with the case for infinite is futile and useless. Hence the case is closed and accordingly order is passed.

KISHORI RAM, Presiding Officer

नई दिल्ली, 30 अगस्त, 2011

का. आ. 2658.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, धनबाद के पंचाट (संदर्भ संख्या 32/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-8-2011 को प्राप्त हुआ था।

[सं. एल-20012/264/2000-आई आर (सी-1)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 30th August, 2011

S.O. 2658.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 32/2000) of the Central Government Industrial Tribunal-cum-Labour Court-1, Dhanbad, now as shown in the Annexure in the industrial dispute between the employers in relation to the management of M/s. BCCL, and their workman, which was received by the Central Government on 30-8-2011.

[No. L-20012/264/2000-IR (C-I)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1,
DHANBAD**

In the matter of a reference U/s. 10(1)(d)(2A)
of I.D. Act

Reference No. 320 of 2000

PARTIES:

Employers in relation to the management of
Gondudih Colliery of M/s. BCCL.

AND

Their Workman

PRESENT:

Shri H. M. Singh, Presiding Officer

APPEARANCES:

For the Employers : Shri S. M. Sinha,
Advocate

For the Workman : Shri S. C. Gour,
Advocate

State : Jharkhand Industry : Coal

Dhanbad, 23rd August, 2011

ORDER

By Order No. L-20012/264/2000-IR (C-I), dated 25-10-2000 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-sec. (2A) of Section 10 of the I.D. Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the refusal of the management of Gondudih Colliery of M/s. BCCL to rectify the date of birth of Shri Bhawan Singh on the basis of Matriculation Certificate is fair and justified ? If not, to what relief is the concerned workman entitled ? If not, to what relief is the concerned workman entitled ?”

2. The case of the concerned workman is that the concerned workman was initially appointed at Khas Kusunda Colliery on 31-1-1973 by the erstwhile owner and his date of birth was mentioned in Form ‘B’ Register as 25-12-1945. The said Form ‘B’ Register maintained by the erstwhile owner bears the initial of the concerned workman as a token of proof of all entries maintained correctly. Khas Kusunda Colliery was nationalised on 1-5-73 and the old Form ‘B’ was dumped and a fresh one was prepared and

age column was left blank in the said duplicate Form ‘B’ Register. In the year 1974 the management issued Identity Card to all its workmen including the concerned workman and the date of birth was left blank in the said Identity Card. In the year 1983 the concerned workman was transferred to Gondodih colliery and since then he is working. During the year 1987 the management issued “SEVA ABHILEKH” to all the workmen including concerned workman and the date of birth column was left blank in the said “SEVA ABHILEKH”. From 1987 the concerned workman has been representing before the management of Gondodih colliery to maintain Form ‘B’ Register by writing date of birth as per his matriculation certificate as 25-12-1945, but without any effect. Thereafter, an industrial dispute was raised before the A.L.C. (C), Dhanbad which ended in failure, resulting to the present industrial dispute for adjudication to this Tribunal.

It has been prayed that the concerned workman is entitled for age as recorded in his matric certificate i.e. 25-12-1945 as per Implementation Instruction No. 76 of JBCCI and retirement age will be 25-12-2005 instead of March, 2001 as wrongly recorded by the management of Gondodih Colliery of M/s. BCCL in their duplicate records. Accordingly, prayed before the Tribunal to pass an award in favour of the workman.

3. The case of the management is that the concerned workman was appointed in Khas Kusunda Colliery on 31-3-73 and date of birth was recorded in Form ‘B’ Register being the statutory register as 32 years of the time of appointment i.e. 31st March, 1973. He put his signature on Form ‘B’ being matriculation. He was served with service excerpt in 1987. He also signed the service excerpt. According to matriculation certificate submitted by him he passed matriculation in 1963 i.e. 10 years prior to his entering into service of BCCL on 31-3-73. On examination of matriculation certificate it was found that he passed matriculation certificate as private candidate but there is no mention of school/centre and other particulars. In the matriculation examination his date of birth is recorded as 25-12-1945. He for the first time raised dispute before the local management regarding correction of date of birth on 17-2-92 as well as on 13-3-92 for correction of his date of birth as 25-12-1945. He raised industrial dispute before A.L.C. (C), Dhanbad on 19-1-1999 i.e. after putting 26 years of service when he is to retire on 31-3-2001 i.e. within two years of his retirement and he remained silent for 26 years while in service which creates doubt into genuineness of his matriculation certificate. At the fag end of his service he raised dispute regarding correction of date of birth appears to be false.

In view of the facts stated above the employer has prayed that the Hon'ble Tribunal be pleased to decide that the workman concerned is not entitled to any relief.

4. Both the parties have filed their respective rejoinders admitting and denying the contents of some of the paragraphs of each other's written statement.

5. The management has produced MW-1, Harendra Kishore, and proved documents as Exts. M-1 to M-8.

The concerned workman, Bhagwan Singh, examined himself as WW-1 and proved documents as Ext. W-1 to W-3 and 'X' for identification.

6. Main argument advanced on behalf of the concerned workman is that his age recorded in the High School Certificate should be made in the records of the management. He stated that he was appointed on 31-1-1973 and in Form 'B' Register his date of birth was mentioned as 25-12-1945. It has also been argued that an Identity Card was issued in which the date of birth column was left blank and Service Excerpt was issued in the year 1987 in which date of birth column was also left blank. As per Implementation Instruction No. 76 of JBCCI his age as recorded in the matric certificate was to be recorded as 25-12-1945 and he should have been retired w.e.f. 25-12-2005.

7. In this respect the management representative argued that the concerned workman's age was recorded as 32 years when he entered into service on 31-3-1973 and this age has been recorded in Form 'B' Register, which is statutory record. He had not given certificate at the time of joining service otherwise his date of birth should have been recorded as 25-12-1945. Another argument advanced on behalf of the management that at the fag end of his service dispute regarding correction of date of birth cannot be entertained. The School Certificate, Ext. W-1 filed by the concerned workman shows that it is false and fictitious document because it does not contain any Roll No. Even it does not bear any date on which this certificate has been issued to the concerned workman. There is no official seal of the Board. It only shows that the concerned workman has fabricated to change his date of birth as 25-12-1945. If he has actually passed his examination he should have filed it at the time of entry in service because Ext. W-3 he passed in February, 1963. Moreover, he has not filed any mark-sheet which may show that he had actually passed his examination. Moreover, without date this certificate has got to relevancy.

The concerned workman (WW-1) in his cross-examination at page 3 stated that I had raised protest before the management that my date of birth is recorded as

25-12-1945 though he passed matriculation examination in 1963. It shows that when he became to retire at that time he protested that his age/date of birth as 25-12-1945 as recorded in matriculation certificate.

8. On behalf of the concerned workman 2010(2) JLJR 161 has been referred in which Hon'ble High Court of Jharkhand laid down – "Service Law – Date of birth – for correction of entry made in the service record on the basis of matric certificate date of birth as entered in the matriculation certificate shall be treated as valid and genuine proof of the date of birth of the candidate/employee – order passed in the earlier writ petition to treat the date of birth as entered in the original service records as final, was passed without going into the merit of the case and without deciding merit of either of the parties – petitioner cannot be denied his right to rise this issue time and again only on that ground in the earlier petition, High Court had also given the liberty to his representation for correction of his date of birth." Also referred 2005(3) JLJR 209 in which Hon'ble Supreme Court laid down – "Labour and Industrial Law – Date of birth – Implementation Instruction No. 76 of BCCL – in the case of appointees, who have passed matriculation or equivalent examination, the date of birth recorded in matriculation certificate shall be treated as correct date of birth and the same cannot be altered under any circumstances – question of sending the appellant to medical examination did not arise – respondents should have accepted petitioner's age in terms of his matriculation certificate – appellant's age to be corrected in terms of matriculation certificate."

The management referred 2001 Lab. I.C. 28 in which Hon'ble Supreme Court laid down :

"Constitution of India, Arts. 226, 16 – Birth date – Correction in service record long after joining service, particularly when employee is on verge of retirement – not to be accepted generally – Interim order issued by Court in such cases has chain reaction – Inasmuch as it mars chances of promotion of juniors."

Considering the above facts it shows that the concerned workman has raised dispute for its correction at the fag end of his retirement which cannot be accepted as per law laid down by the Hon'ble Supreme Court. The certificate seems to be not genuine because it does not contain any date as which date it has been issued and also no mark-sheet was filed which may support this certificate. No officer of the Board has been examined by the concerned workman which may prove that he passed matric examination.

9. In the result, I hold that the refusal of the management of Gondudih Colliery of M/s. BCCL to rectify

the date of birth of Shri Bhagwan Singh as the basis of matriculation certificate is fair and justified and hence the concerned workman is not entitled to any relief.

This is my Award.

H. M. SINGH, Presiding Officer

नई दिल्ली, 1 सितम्बर, 2011

का.आ. 2659.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद के पंचाट (संदर्भ संख्या 93, 95, 97, 98, 103, 104, 105/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-9-2011 को प्राप्त हुआ था।

[सं. एल-12012/71/2004-आई आर (बी-1),
सं. एल-12012/72/2004-आई आर (बी-1),
सं. एल-12012/68/2004-आई आर (बी-1),
सं. एल-12012/74/2004-आई आर (बी-1),
सं. एल-12012/69/2004-आई आर (बी-1),
सं. एल-12012/67/2004-आई आर (बी-1),
सं. एल-12012/64/2004-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 1st September, 2011

S.O. 2659.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 93, 95, 97, 98, 103, 104, 105/2004) of the Central Government Industrial Tribunal-cum-Labour Court No-2, Dhanbad as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workmen, which was received by the Central Government on 1-9-2011.

[No. L-12012/71/2004-IR (B-I),
No. L-12012/72/2004-IR (B-I),
No. L-12012/68/2004-IR (B-I),
No. L-12012/74/2004-IR (B-I),
No. L-12012/69/2004-IR (B-I),
No. L-12012/67/2004-IR (B-I),
No. L-12012/64/2004-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD

PRESENT:

SHRI KISHORI RAM, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 93 of 2004

Parties : Employers in relation to the management of State Bank of India and their workmen.

(Ministry's Order No. L-12012/71/2004-IR(B-I) dt. 7-7-2004)

Reference No. 95 of 2004

Parties : Employers in relation to the management of State Bank of India and their workmen.

(Ministry's Order No. L-12012/72/2004-IR(B-I) dt. 7-7-2004)

Reference No. 97 of 2004

Parties : Employers in relation to the management of State Bank of India and their workmen.

(Ministry's Order No. L-12012/68/2004-IR(B-I) dt. 7-7-2004)

Reference No. 98 of 2004

Parties : Employers in relation to the management of State Bank of India and their workmen.

(Ministry's Order No. L-12012/74/2004-IR(B-I) dt. 7-7-2004)

Reference No. 103 of 2004

Parties : Employers in relation to the management of State Bank of India and their workmen.

(Ministry's Order No. L-12012/69/2004-IR(B-I) dt. 17-8-2004)

Reference No. 104 of 2004

Parties : Employers in relation to the management of State Bank of India and their workmen.

(Ministry's Order No. L-12012/67/2004-IR(B-I) dt. 17-8-2004)

AND

Reference No. 105 of 2004

Parties : Employers in relation to the management of State Bank of India and their workmen.

(Ministry's Order No. L-12012/64/2004-IR(B-I) dt. 17-8-2004)

APPEARANCES:

On behalf of the workmen : Mr. D. Mukherjee,
Advocate

On behalf of the employers : Mr. R. N. Ganguly,
Advocate

State : Jharkhand Industry : Banking

Dhanbad, the 3rd August, 2011

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order Nos. referred to above.

SCHEDULE IN REF. NO. 93 OF 2004

"Whether the action of the management of State Bank of India, in terminating the services of Shri Daya Nand Mahto instead of regularising him on completing 240 days of continuous service in the Central Stationery Department of State Bank of India, Patliputra, Patna, Bihar is legal and justified? If not, to what relief the workman is entitled to?"

SCHEDULE IN REF. NO. 95 OF 2004

"Whether the action of the management of State Bank of India, in terminating the services of Sh. Ramashish Prasad Singh instead of regularising him on completing 240 days of continuous service in the Central Stationery Department of State Bank of India, Patliputra, Patna, Bihar is legal and justified? If not, to what relief the workman is entitled to?"

SCHEDULE IN REF. NO. 97 OF 2004

"Whether the action of the management of State Bank of India, in terminating the services of Shri Surendra Kumar instead of regularising him on completing 240 days of continuous service in the Central Stationery Department of State Bank of India, Patliputra, Patna, Bihar is legal and justified? If not, to what relief the workman is entitled to?"

SCHEDULE IN REF. NO. 98 OF 2004

"Whether the action of the management of State Bank of India, in terminating the services of Shri Sohan Lal Choudhary instead of regularising him on completing 240 days of continuous service in the Central Stationery Department of State Bank of India, Patliputra, Patna, Bihar is legal and justified? If not, to what relief the workman is entitled to?"

SCHEDULE IN REF. NO. 103 OF 2004

"Whether the action of the management of State Bank of India, in terminating the services of workman Ramjee Prasad instead of regularising him on

completing 240 days of continuous service in the Central Stationery Department of State Bank of India, Patliputra, Patna, Bihar is legal and justified? If not, to what relief the workman is entitled to?"

SCHEDULE IN REF. NO. 104 OF 2004

"Whether the action of the management of State Bank of India, in terminating the services of workman Surendra Kumar instead of regularising him on completing 240 days of continuous service in the Central Stationery Department of State Bank of India, Patliputra, Patna, Bihar is legal and justified? If not, to what relief the workman is entitled to?"

AND**SCHEDULE IN REF. NO. 105 OF 2004**

"Whether the action of the management of State Bank of India, in terminating the services of workman Md. Alimuddin Ansari instead of regularising him on completing 240 days of continuous service in the Central Stationery Department of State Bank of India, Patliputra, Patna, Bihar is legal and justified? If not, to what relief the workman is entitled to?"

2. All the seven cases being same and similar causes between these workmen and the same management are analogously taken up for adjudication. The cases of the seven workmen are as under :

Out of all seven workmen Sri Dayanand Mahato, Ramashish Pd. Singh, Ramjee Pd., Surendra Kr. (S/o Baban Ram) and Md. Alimuddin Ansari of Ref. Cases Nos. 93, 95, 103, 104 and 105/2004 were appointed on 3-11-1988 and Surendra Kr. (S/o Jagdish Paswan) and Sohan Lal Choudhary of Ref. Cases Nos. 97 and 98/2004 were appointed on 13-5-1996 and 3-1-1983 respectively by the management, but all of their services were terminated after their 15, 7 and 21 years services respectively by the management on 30-9-2003.

3. All the Written Statements of these seven workmen are replica to each other except para 21 of the W.S. of Daya Nand Sharma and Ramashish Pd. Singh which refer to the Xerox copies of their documents :

- (i) Stationery Supply Register for 2001-03,
- (ii) Despatch Advice for 2002,
- (iii) Daily Despatch sheet for 2003,
- (iv) Daily Despatch Register for 2002,
- (v) Invoice of Stationery Despatch,
- (vi) Various acts/duties done by petitioner concerned,
- (vii) Gate Passes filled by them, and
- (viii) Salary paid for Jan., 1998 to November, 1998.

3405 9/11-26

4. The cases of these seven workmen are that the State Bank of India, the known industry, having Head Office at Patna, Bihar (hereafter referred to as the Employer) performs its job through its different units all over India. It has sub unit like State Bank of India Circle Stationery, Department, New Patliputra, Patna etc. as Industrial Establishment as defined in Sec. 2(ka) of the Industrial Disputes Act, 1947. The Employer systematically discharges its function with the co-operation of the workmen in order to make out all improvement, benefit and development of the Banking establishment. The workmen since their appointment were engaged in all types of Clerical works – filing all types of registers in the Stationery Supply Department, preparing in-voices, diary despatch sheets, acknowledgment receipt, Peon Book despatch sheet, annual indent and their quantity supplied to the Branch and preparing gate pass etc. in the premises of the Bank and accordingly they performed their regularly aforesaid own duties daily between 10.00 A.M. to 5.00 P.M. at the direction and control and supervision of the Management of the Bank. They were paid by the Bank for their jobs they performed as regular employees performed. As their jobs for benefit of the Bank were satisfactory to the Bank Authorities 5-6 Officers of the Bank who in a joint declaration acknowledged the services of their quality work, with recommendation for their continuous and indispensability in the services of the Bank. But after the services of workmen Dayanand Mahato, Ramashish Singh, Ramjee Pd., Surendra Kr. (II) and Md. Alimuddin Ansari (workmen of Ref. Cases Nos. 93, 95, 103, 104 and 105 of the years 2004) for 15 years, and that of Surendra Kr. (I) and Sohan Lal Chaudhary (workmen of Ref. Cases Nos. 97 and 98 of the same year 2004) for 7 and 21 years all respectively, on their own demand for the regularisation of their services and further absorption in the roll of the employer Bank directly, the Management arbitrarily and illegally terminated them from their services on 30-9-2003, despite there was a direct employer-employee relationship between these workmen and the Management of the Bank. So mere false plea of the Management based on alleged ground of 'No such direct relationship', presence of dubious intermediary contractor M/s. Sharma Furniture House as alleged by the Management before the ALC (C), Patna, or make belief of a detachment cannot escape the real bond of liability of the Management towards the workmen. Their Writ petition (C.W.J.C. No. 9837/2003, Ramashish Pd. & Ors. V. S. B. India) in their respect was disposed of by the Hon'ble High Court, Patna, with the observation to move under the Industrial Disputes Act. Hence their own references for adjudication over their relief of their re-instatement in their services w.e.f. 30-9-2003 with all back wages and consequential benefits.

5. Likewise the workmen in their similar rejoinders have pleaded that these petitioners being workmen of the Bank employer are quite competent to raise their own instant dispute, so their references are legal and valid over

the matter over which the Tribunal has the jurisdiction for adjudication. The order of their termination if they worked for statutory number of days for the Bank, is illegal and mala fide. The plea for absence of their proper and valid recruitment is honest. All alleged fictitious contractor is the mental creation and connection of the Employer to defeat the provision of the Welfare Legislations made in favour of the workmen.

6. Whereas by categorically denying the allegations of the workmen, the Management has pleaded on its written statement-cum-rejoinder that there is no "Central Stationery Department". All these seven Reference cases of the concerned workmen being individual disputes, not industrial ones, stand outside the purview of the Industrial Disputes Act, 1947. The concerned workmen were never employees of the State Bank of India at any time so no employer-employee relationship existed between the S.B.I. and these persons. They were neither appointed nor paid any wages by the S.B.I. For their alleged work under alleged designation, which is unmentioned in the Reference and in their Written Statements. There is no such post prevailing in the Bank as alleged by them under which an individual performs all the alleged jobs in the Bank. A vacant post, if any, is filled up as per the Rules/Regulation of the S.B.I. None has authority to arbitrarily engage, employ or deploy any person beyond the recruitments.

7. The State Bank of India has one of its Local Head Office at Patna having 934 branches. It has one Office known as Circle Stationery Department at Patna. The Stationery articles used in different branches are purchased by the said office and the same are supplied to the branches on their indents whenever submitted. For the purpose of forwarding, cleaning, loading, unloading, packing, unpacking of boxes, stitching of bags, carrying the stationery to and from stores and arranging it in the stores etc. said office had engaged M/s. Sharma Furniture House (the contractor) to whom payment was made for the aforesaid jobs. The contractor engaged certain persons whenever required as labours according to his choice on his behalf to perform the jobs. But the Bank never engaged the said labourers, nor maintained any register of attendance or wages in respect of the labourers engaged by the contractor. There was no privity of contract between the labourers of the contractor and the Management of S.B.I. Neither working hours were fixed nor appointment letters given nor supervision or control was exercised by the Bank over the labourers nor it had disciplinary control over the labourers engaged by the contractor. The Writ Petition C.W.J.C. No. 9837/2003 the labourers had filed in the Hon'ble Patna High Court for their claim was dismissed on 12-9-2003 with observation to take recourse to the remedy under the Industrial Disputes Act. The nature of the work done by the labourers at the instance of their contractor was sundry work, not required to be done by the Bank's regular employee; as such, the Bank has no

such post for the work assigned to the contractor. The labourers as per their letter No. 17-1-98 in the File No. 1/ Misc./97/ALC. I before the ALC Patna, admitted themselves as the Contractor's labourers.

8. The S.B.I. in its rejoinder has pleaded that the Management carries on Banking business as per the provisions of the Banking Regulation Act, but not the Sundry jobs which were given to the contractor and are not the Banking business as alleged. Since the aforesaid contractor engaged less than twenty persons, the provisions of the Contract Labour (Abolition & Regulation) Act are not applicable to the case. The jobs for which the contractor was engaged, are not concerned with Banking Operations by any stretch of imagination. The work of the contractor was of casual and intermittent nature. Hence, the concerned persons are not entitled for regularisation in the Bank's service.

FINDING WITH REASONING

9. In the instant case, WW-1 Ramashish Pd. Singh for self and other workers and MW-1 Raj Kumar Singh, the Dy. Manager of the S.B.I. For the Management, have been examined.

The statement of WW-1 Ramashish Pd. Singh, one of the seven contestant workmen, is that at the direction of the officer concerned after their engagement, they (workmen) used to receive letter, parcel, and despatch all the stationery as required to the different branches of the State Bank of India (S.B.I.) from its Central Stationery Department at Patna, where none could unauthorisedly enter. The jobs they continuously performed from Nov., 1988 to 2003 under the control of the authority were of permanent nature, but they are sitting idle since their wrong termination of their services. The documents filed as per list dated 7-11-07 on behalf of the workmen (on formal proof dispensed with) have been made at Exts. W-1, W-2, W-3, W-4, W-5 and W-6. The witness (WW-1) has though denied to have been the employees of 'Sharma Furniture' hence, admitted none to have got any appointment letter from the Management for the job, for which none had applied, and none of them worked on any post. Denying to have ever made any complaint of their wages duly, the witness has admitted the Ext. M-2 (the typed complain dt. 29-8-03 to the Chief G.M., Patna) to be under their signature, but under helplessness, and it was taken on a plain paper on pretext of enhancing their wages. Admittedly, they had sought the relief of their permanent employment and demand of money, in their Writ Petition before the Hon'ble Patna High Court. He (WW-1) stated not to have known any person named Puran (Dhuran) Sharma, nor to have recalled by whom they were paid in case for the job.

10. Whereas the statement of MW-1 Raj Kumar Singh, the Dy. Manager, SBI, Circle Stationery Department, New Patliputra, is that there is no any Stationery

Department of the State Bank of India, rather there is a Circle Stationery Department only Local High Office of the State Bank of India which includes the functioning of despatching documents to different branches for smooth functioning of the Bank, but for this work there was no permanent employee appointed by the management, rather this work as per the original contract dated 5-11-1980 between the SBI and the contractor M/s. Sharma Furniture (Ext. M-1) was done through the aforesaid contractor. According to the witness, the workmen Dayanand Mehta and 9 others as per their letter dt. 29-8-2003 typed in Hindi to the Chief General Manager, SBI, has admitted to be working as the contractor's labourer (Ext. M-2) and the contractor as per his letter dt. 23-2-98 addressed to the Asstt. General Manager concerned (had responded to the management concerning the complaint about the payment of wages by him - Ext. M-3) had employed the workmen against the payment of wages and as per four bills (Ext. M-4 series) under the signature of Shri Dhuran Sharma, (the proprietor of the aforesaid contractor), the payment of wages for the aforesaid job was made. This management witness appears to have ascertained the performance of the job by the Circle Stationery Department of the SBI is not concerned with the Banking Operation and the SBI never appointed these workmen, as the management neither controlled nor maintained any register for the attendance or leave of these workmen, rather as per rule, appointment of employees is effected against the permanent vacancy only; moreover, none of the workmen has any designation of work, so factually there was never any relationship between the management and the workmen as the employee and the employer, as such the management never terminated the alleged services of the workmen, so their claim for regularisation is not justified and legal.

11. This MW-1 in his cross-examination has affirmed the existence of the letter (Ext. M-1, related to rate contract in the file of the Bank) and the daily basis engagement of the workmen with their number as apparent from the chart of the Bills as well as the despatch of the articles from the Circle Stationery Department to the different branches under the signature of the Bank Officer, but not under the signature of the contractor. To him, the despatch of the stationery article is done under the officer as well as the employees concerned, though he had not filed any document to show the contractor as a licensee. This witness has flatly denied the filing of all the aforesaid fabricated documents on behalf of the management with a view to camouflage the real issue.

12. In this case, filing innumerable photocopies of the rulings, (out of which whatever visible could be perused), Mr. D. Mukherjee, the Ld. Advocate for the workmen submits that 'the presence of intermediate contractor with whom alone the workers have immediate or direct relationship ex-contract is of consequence when, in lifting the veil or looking at the conspectus of factors

governing employment, discern the naked truth, though shaped in different perfect paper arrangement, that the real employer is the management, not the immediate contractor . . . the Court be astute to avoid the mischief and achieve the purpose of law and not be misled by the "maya" of 'legal appearance' (SCLJ - Vol. 15 page 112), that 'in connection with the work of an establishment only postulates some connection between what the employee - and the work of the establishment, that 'where in discharge of statutory obligation of maintaining a canteen in an establishment, the principal employer availed the services of a contractor, the Court have held that the contract labour would indeed be the employee of the principal employer' [2003 (1999) FLR 5 (SC)], and that 'wording of reference showing that the dispute was as to regularisation of service of contractual workers - pleadings, however, showing the core issue before Tribunal was with regard to status of workers as employee of principal employer, so the award of Tribunal holding workers to be employee of principal employer and granting relief of regularisation not outside the jurisdiction.' (paras -16, 18 - 2008 AIR SCW 3996).

13. In response to it, Mr. R. N. Ganguly, the Ld. Advocate for the management has contended that in view of the crystal clear admission of the workmen as the contractual labourer, there was never any relationship of employer and employee between both the parties, so they cannot be entitled to regularisation of their alleged service in the Bank.

14. On the evaluation of the materials available on the case record, I find that in view of the clear cut admission of the workmen as the employees of M/s. Sharma Furniture House, Proprietor Dihuran Sharma, Patna, for the job on daily basis, the employer and employee relationship between the workmen and the management appears to be never existed. So there is no camouflage on the part of the management to conceal the reality. Therefore, none of the aforesaid authorities cited on behalf of the workmen holds good with the present case. How the Apex Court has been pleased to hold in the case of Steel Authority of India Ltd. - Versus - TU. Water Front Workers reported in 2001 Lab. I.C. 3636 (SC) (CB) - I 'that engagement by contractor does not create relationship of Master and servant between the contract labour and principal employer (paras 101, 114, 117). Moreover, the workmen have failed to prove their continuous service for more than 240 days against which post in a calendar year.'

15. Considering the aforesaid discussed facts and law, I find and hold that the actions of the management in terminating the services of workmen - Shri Dayanand Mahato, Shri Ramnath Prasad Singh, Shri Surender Kumar, Shri Soham Lal Choudhury, Shri Ramjee Prasad, Surendra Kumar (2nd) and Md. Alimuddin Ansari of the

Ref. Nos. 93, 95, 97, 98, 103, 104 and 105 of the year 2004 respectively do not arise. Hence, they are not entitled to any relief of regularisation etc.

KISHORI RAM, Presiding Officer

नई दिल्ली, 2 सितम्बर, 2011

क्र. अ. 2660.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ईस्टर्न नवेल कमाण्ड के प्रबन्धकों के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/त्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 134/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-9-2011 को प्राप्त हुआ था।

[सं. एल-14025/2/2011-आई आर (डीयू)]

जोहन तोपनो, अवसर सचिव

New Delhi, the 2nd September, 2011

S.O. 2660.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 134/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad now as shown in the Annexure in the industrial dispute between the employers in relation to the management of Eastern Naval Command and their workman, which was received by the Central Government on 2-9-2011.

[No. L-14025/2/2011-IR (DU)]

JOHN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

PRESENT:

Shri Ved Prakash Gaur, Presiding Officer

Dated the 24th day of February, 2011

Industrial Dispute L.C. No. 134/2004

BETWEEN:

Sri Revu Raju,
S/o Late Sri Appanna,
D. No. 36-95-105, Babuji Nagar,
Kancherapalem, Post,
Visakhapatnam-8

... Petitioner

AND

1. The Vice Admiral,
Chief of Personnel,
Eastern Naval Command,
Visakhapatnam - 530 014

such post for the work assigned to the contractor. The labourers as per their letter No. 17-1-98 in the File No. 1/ Misc./97/ALC. I before the ALC Patna, admitted themselves as the Contractor's labourers.

8. The S.B.I. in its rejoinder has pleaded that the Management carries on Banking business as per the provisions of the Banking Regulation Act, but not the Sundry jobs which were given to the contractor and are not the Banking business as alleged. Since the aforesaid contractor engaged less than twenty persons, the provisions of the Contract Labour (Abolition & Regulation) Act are not applicable to the case. The jobs for which the contractor was engaged, are not concerned with Banking Operations by any stretch of imagination. The work of the contractor was of casual and intermittent nature. Hence, the concerned persons are not entitled for regularisation in the Bank's service.

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governing employment, discern the naked truth, though draped in different perfect paper arrangement, that the real employer is the management, not the immediate contractor . . . the Court be astute to avoid the mischief and achieve the purpose of law and not be misled by the “maya” of ‘legal appearance’ (SCLJ – Vol. 15 page 112), that ‘in connection with the work of an establishment only postulates some connection between what the employee – and the work of the establishment, that ‘where in discharge of statutory obligation of maintaining a canteen in an establishment, the principal employer availed the services of a contractor, the Court have held that the contract labour would indeed be the employee of the principal employer’ [2003 (1999) FLR 5 (SC)], and that ‘wording of reference showing that the dispute was as to regularisation of service of contractual workers – pleadings, however, showing the core issue before Tribunal was with regard to status of workers as employee of principal employer, so the award of Tribunal holding workers to be employee of principal employer and granting relief of regularisation not outside the jurisdiction.’ (paras – 16, 18 – 2008 AIR SCW 3996).

13. In response to it, Mr. R. N. Ganguly, the Ld. Advocate for the management has contended that in view of the crystal clear admission of the workmen as the contractual labourer, there was never any relationship of employer and employee between both the parties, so they cannot be entitled to regularisation of their alleged service in the Bank.

14. On the evaluation of the materials available on the case record, I find that in view of the clear cut admission of the workmen as the employees of M/s. Sharma Furniture House, Proprietor Dhuran Sharma, Patna, for the job on daily basis, the employer and employee relationship between the workmen and the management appears to be never existed. So there is no camouflage on the part of the management to conceal the reality. Therefore, none of the aforesaid authorities cited on behalf of the workmen holds good with the present case. Hon’ble Apex Court has been pleased to hold in the case of Steel Authority of India Ltd. – Versus – NU. Water Front Workers reported in 2001 Lab. I.C. 3656 (SC) (CB) – I ‘that engagement by contractor does not create relationship of Master and servant between the contract labour and principal employer (paras 101, 114, 117). Moreover, the workmen have failed to prove their continuous service for more than 240 days against which post in a calendar year.’

15. Considering the aforesaid discussed facts and law, I find and hold that the actions of the management in terminating the services of workmen – Shri Dayanand Mahato, Shri Ramashish Prasad Singh, Shri Surender Kumar, Shri Sohan Lal Choudhury, Shri Ramjee Prasad, Surendra Kumar (2nd) and Md. Alimuddin Ansari of the

Ref. Nos. 93, 95, 97, 98, 103, 104 and 105 of the year 2004 respectively do not arise. Hence, they are not entitled to any relief of regularisation etc.

KISHORI RAM, Presiding Officer

नई दिल्ली, 2 सितम्बर, 2011

क्र. आ. 2660.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ईस्टर्न नवेल कमाण्ड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 134/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-9-2011 को प्राप्त हुआ था।

[सं. एल-14025/2/2011-आई आर (डीयू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 2nd September, 2011

S.O. 2660.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 134/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad now as shown in the Annexure in the industrial dispute between the employers in relation to the management of Eastern Naval Command and their workman, which was received by the Central Government on 2-9-2011.

[No. L-14025/2/2011-IR (DU)]

JOHN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

PRESENT:

Shri Ved Prakash Gaur, Presiding Officer

Dated the 24th day of February, 2011

Industrial Dispute L.C. No. 134/2004

BETWEEN:

Sri Revu Raju,
S/o Late Sri Appanna,
D. No. 36-95-105, Babujinagar,
Kancherapalem, Post,
Visakhapatnam-8

... Petitioner

AND

1. The Vice Admiral,
Chief of Personnel,
Eastern Naval Command,
Visakhapatnam – 530 014

2. The F.O.C. in C.,
HQ. Eastern Naval Command,
Visakhapatnam – 530 014

3. The Material Superintendent,
Material Organization,
Visakhapatnam – 530 008

... Respondents

APPEARANCES :

For the Petitioner : Sri K. Balakrishna,
Advocate

For the Respondent : Sri D. Ramesh,
Advocate

AWARD

This petition under Sec. 2A (2) of the I.D. Act, 1947 has been filed by Sri Revu Raju, an ex-employee of Material Organization, Visakhapatnam under the Eastern Naval Command, challenging the order of removal from service dated 6-3-2002, that it is violative of principles of natural justice, illegal arbitrary and excessive.

2. The Petitioner in his claim statement has contended that he was appointed as unskilled labour in the management organization on 2-4-1979. While serving in the said post he was removed from service on 6-3-2002. At that time he was drawing a salary of Rs. 5,300. During course of his employment a baseless report was made by Secretary, A.P.S.T., S.C. Association, Visakhapatnam to the District Collector, Visakhapatnam vide letter dated 5-12-87 who sought the Naval Armament Supply Officer report and asked to furnish particulars of some other workman inter alia the letter dated 2-2-1988 sent photocopy of the certificate submitted through M.R.O., Kothavalasa challenging the genuineness of the certificate on the basis of which the management issued charge memo No. NS/E/1107 dated 30-1-1992. On the basis of which the management initiated an enquiry regarding genuineness of the certificate submitted by the workman. A hush-hush inquiry was held in derogation of the principles of natural justice and Enquiry Officer submitted his report on 28-7-2001. On the basis of such informed report the Petitioner was removed from the service. The workman filed appeal before first management which was rejected by the first management on 27-1-2003.

3. It has been alleged by the workman that the M.R.O., Kothavalasa, Vizianagaram District or the management were not invested with the power of adjudging the genuineness of the social status of the workman. They have acted contrary to the provisions of law and thus, the order of removal of service is bad in law. The Petitioner studied in Z.P. High School, Kothavalasa and school authorities has issued T.C. No. 23493, Admn. No. 439/66 which bears the community to which the workman relates. Moreover, the Petitioner has not been given or extended the privileges conferred on that community. During the departmental enquiry he was given deaf ear and no proper opportunity

was given to him, hence, he prayed this tribunal to adjudicate the matter and quash the order of termination.

4. Respondent management has filed counter statement wherein it is alleged that the Petitioner was initially appointed on casual basis, the contention of the Petitioner that he has unblemished record is incorrect because he was charge sheeted on 30-1-92 and enquiry was ordered. The District Collector vide his letter dated 5-12-1987 requested to furnish xerox copy of the caste certificate submitted by the workman stating that Andhra Pradesh S.T., Association has complained that workman has submitted false caste certificate for the purpose of gaining employment. The caste certificate submitted by the workman was referred to the District Collector, Visakhapatnam who referred the same to the District Collector, Vizianagaram. District Collector, Vizianagaram vide his report dated 16-10-1990 reported that the M.R.O. S., Kota has reported that "(A) certificate dated 8-12-1996 submitted by the workman was not issued by the then Tahasildar, S. Kota and he further stated that the certificate is a forged certificate; (B) the Mandal Revenue Officer, Kothavalasa where village Kothavalasa constitutes reported that there was no person named Sri Revu Raju in Kothavalasa or its Hamlets and there is no person of "Konda Kapu" caste in that village." As the certificate produced by the Petitioner was found to be forged one, Disciplinary proceeding under Rule 14 of CCS (CC & A) Rules, 1965 were initiated and charge sheet was issued, enquiry was conducted. The Petitioner workman participated in the enquiry. Enquiry Officer submitted his report that the Petitioner has submitted a forged certificate on the basis of which punishment of removal from service was passed. Petitioner preferred appeal which was rejected. Fair and proper opportunity was afforded to the Petitioner to participate in the enquiry. There is no violation of principles of natural justice. Hence, there is merit in the claim petition and deserves to be dismissed.

5. In the matter before this tribunal the Petitioner has challenged the legality and validity of the enquiry proceeding as such, the question of legality and validity of domestic enquiry was considered by this Tribunal and vide its order dated 29-1-2009, this tribunal arrived at the conclusion that the domestic enquiry held by the management was legal and valid and the case was fixed for arguments under Sec. 11A.

6. I have heard both the parties. It has been argued by Learned Counsel for the Petitioner workman that the management has committed illegality in coming to the conclusion that the caste certificate produced by the Petitioner was forged one. Not only that the Petitioner has produced his caste certificate and if that caste certificate was to be ignored or cancelled there is provision in the A.P. Scheduled Caste and Scheduled Tribe and Backward Classes Certificate Act. Section 5 of this Act deals with the cancellation of caste certification of which power is vested

with the District Collector. Caste certificate to the present Petitioner has not been cancelled by the District Collector, as such, the management cannot come to the conclusion that the caste certificate produced by the Petitioner is not a genuine document or is a forged document. No authority or power has been vested in any person than that of the Collector of the district from where the caste certificate has been issued. In the present case the authority has not followed the procedure laid down in A.P. Scheduled Caste, Schedule Tribe and Backward Classes certificate Act of 1983, as such, the entire action taken without following the procedure mentioned in the caste certificate Act of 1993 is futile and without jurisdiction and order passed on basis of a without jurisdiction finding or recommendation of such authority which has no jurisdiction to cancel the caste certificate is illegal, arbitrary and deserves to be set aside.

7. Against this argument of the Learned Counsel for the Respondent Petitioner workman, Learned Counsel for the Respondent has argued that in the matter of the Petitioner workman the management has not cancelled caste certificate issue by the competent authority i.e., Collector of the District, Vizianagaram. Present case is not a case of impersonation of the wrong person or caste. It is case of forged certificate which has not been issued by the office of the Collector of the Vizianagaram or M.R.O., Kothavalasa. The present case is a case of non-existent document and in that case if the authority comes to this conclusion on the basis of the evidence produced during enquiry that the alleged certificate has never been issued by the competent authority but it is out of the vexatious mind of Petitioner workman, then in that case the question is not of cancellation of such document, in such case only the document has to be ignored. In the present case the management has not started proceeding for the cancellation of the certificate but the management has simply enquired about the existence of the certificate i.e., whether the certificate was issued by the office of the Collector, Vizianagaram as claimed by the Petitioner and the Enquiry Officer concluded that the caste certificate produced by the Petitioner workman was never issued from the office of the Collector or Mandal Revenue Officer, Kothavalasa. The Petitioner has gained appointment on the basis of this forged caste certificate, as such, the Enquiry Officer submitted his report that the alleged certificate is a forged document or is a non-existent document. Whereas the Petitioner has relied on this document and obtained job on basis of it, thus, he has committed fraud with Government of India. He produced a false caste certificate for gaining job. Thus, the action of management is within its jurisdiction. The management has not committed any act beyond its jurisdiction.

8. I have considered the above argument and on the basis of the argument I have gone through the material available before this tribunal.

9. This tribunal has to determine :

- (I) Whether the action of the management in terminating the services of the Petitioner workman w.e.f. 6-3-2002 is justified or not ?
- (II) Whether the Petitioner workman is entitled for any relief or not ?

10. Point No. (I) : This is the crucial point in the present case wherein Learned Counsel has argued that the dismissal order passed against the Petitioner workman is illegal, the management has exceeded its jurisdiction in deciding the question of genuineness of the caste certificate and coming to the conclusion that the document is a forged one Learned Counsel of workman has relied upon Section 5 of the A.P., SC., ST and BC Act. I have gone through the provisions of Section 5 of A.P., S.C., S.T. and B.C. Act, it is a provision for the cancellation of the certificate granted to a person who impersonated himself to be of a particular caste which comes within the purview of a Scheduled Caste or Scheduled Tribe caste. If a person impersonated before the Collector of the District or M.R.O., that he belongs to a particular caste which is a Scheduled Caste or Scheduled Tribe caste and obtained caste certificate on false personation to obtain job, later on if it comes to the notice of the Collector of the District or M.R.O., of the Tahasil that the person to whom such certificate of Scheduled Caste or Scheduled Tribe category has been issued is not a member of such caste then in that case, the provision of Section 5 of the A.P., S.C., S.T. and B.C. certificate Act will come into play.

11. In the present case the Collector's Office has reported that the alleged certificate produced by the Petitioner workman before the employer for obtaining the job as a member of Scheduled Caste was never issued from the office of the Collector or M.R.O., Kothavalasa, S. Kota Tahasil then, the question of cancellation of certificate does not arise. In the present case the management has not cancelled any certificate and I am convinced and agree with the argument of the Learned Counsel for the Petitioner that if a wrong certificate has been obtained by a person impersonated himself to be a member of a particular Scheduled Tribe then, his certificate has to be cancelled by the Collector of the District who has issued the certificate but where the certificate itself has not been issued by competent authority either from the office of the Collector or from the Tahasil or Mandal Office, then the genuineness of such certificate has to be considered at the end of the person who has relied upon such certificate and on the reliance of such certificate and on the reliance of such certificate job of a Scheduled Tribe candidate has been offered to the Petitioner. Thus, in the present case Section 5 of cancellation of caste certificate mentioned in A.P., SC, ST and Backward Classes Act does not come into play and it is not applicable in the present case. The argument of the Learned Counsel for the Petitioner that

2. The F.O.C. in C.,
HQ. Eastern Naval Command,
Visakhapatnam – 530 014

3. The Material Superintendent,
Material Organization,
Visakhapatnam – 530 008

... Respondents

APPEARANCES :

For the Petitioner : Sri K. Balakrishna,
Advocate

For the Respondent : Sri D. Ramesh,
Advocate

AWARD

This petition under Sec. 2A (2) of the I.D. Act, 1947 has been filed by Sri Revu Raju, an ex-employee of Material Organization, Visakhapatnam under the Eastern Naval Command, challenging the order of removal from service dated 6-3-2002, that it is violative of principles of natural justice, illegal arbitrary and excessive.

2. The Petitioner in his claim statement has contended that he was appointed as unskilled labour in the management organization on 2-4-1979. While serving in the said post he was removed from service on 6-3-2002. At that time he was drawing a salary of Rs. 5,300. During course of his employment a baseless report was made by Secretary, A.P.S.T., S.C. Association, Visakhapatnam to the District Collector, Visakhapatnam vide letter dated 5-12-87 who sought the Naval Armament Supply Officer report and asked to furnish particulars of some other workman inter alia the letter dated 2-2-1988 sent photocopy of the certificate submitted through M.R.O., Kothavalasa challenging the genuineness of the certificate on the basis of which the management issued charge memo No. NS/E/1107 dated 30-1-1992. On the basis of which the management initiated an enquiry regarding genuineness of the certificate submitted by the workman. A hush-hush inquiry was held in derogation of the principles of natural justice and Enquiry Officer submitted his report on 28-7-2001. On the basis of such informed report the Petitioner was removed from the service. The workman filed appeal before first management which was rejected by the first management on 27-1-2003.

3. It has been alleged by the workman that the M.R.O., Kothavalasa, Vizianagaram District or the management were not invested with the power of adjudging the genuineness of the social status of the workman. They have acted contrary to the provisions of law and thus, the order of removal of service is bad in law. The Petitioner studied in Z.P. High School, Kothavalasa and school authorities has issued T.C. No. 23493, Admn. No. 439/66 which bears the community to which the workman relates. Moreover, the Petitioner has not been given or extended the privileges conferred on that community. During the departmental enquiry he was given deaf ear and no proper opportunity

was given to him, hence, he prayed this tribunal to adjudicate the matter and quash the order of termination.

4. Respondent management has filed counter statement wherein it is alleged that the Petitioner was initially appointed on casual basis, the contention of the Petitioner that he has unblemished record is incorrect because he was charge sheeted on 30-1-92 and enquiry was ordered. The District Collector vide his letter dated 5-12-1987 requested to furnish xerox copy of the caste certificate submitted by the workman stating that Andhra Pradesh S.T., Association has complained that workman has submitted false caste certificate for the purpose of gaining employment. The caste certificate submitted by the workman was referred to the District Collector, Visakhapatnam who referred the same to the District Collector, Vizianagaram. District Collector, Vizianagaram vide his report dated 16-10-1990 reported that the M.R.O. S., Kota has reported that "(A) certificate dated 8-12-1996 submitted by the workman was not issued by the then Tahasildar, S. Kota and he further stated that the certificate is a forged certificate; (B) the Mandal Revenue Officer, Kothavalasa where village Kothavalasa constitutes reported that there was no person named Sri Revu Raju in Kothavalasa or its Hamlets and there is no person of "Konda Kapu" caste in that village." As the certificate produced by the Petitioner was found to be forged one, Disciplinary proceeding under Rule 14 of CCS (CC & A) Rules, 1965 were initiated and charge sheet was issued, enquiry was conducted. The Petitioner workman participated in the enquiry. Enquiry Officer submitted his report that the Petitioner has submitted a forged certificate on the basis of which punishment of removal from service was passed. Petitioner preferred appeal which was rejected. Fair and proper opportunity was afforded to the Petitioner to participate in the enquiry. There is no violation of principles of natural justice. Hence, there is merit in the claim petition and deserves to be dismissed.

5. In the matter before this tribunal the Petitioner has challenged the legality and validity of the enquiry proceeding as such, the question of legality and validity of domestic enquiry was considered by this Tribunal and vide its order dated 29-1-2009, this tribunal arrived at the conclusion that the domestic enquiry held by the management was legal and valid and the case was fixed for arguments under Sec. 11A.

6. I have heard both the parties. It has been argued by Learned Counsel for the Petitioner workman that the management has committed illegality in coming to the conclusion that the caste certificate produced by the Petitioner was forged one. Not only that the Petitioner has produced his caste certificate and if that caste certificate was to be ignored or cancelled there is provision in the A.P. Scheduled Caste and Scheduled Tribe and Backward Classes Certificate Act. Section 5 of this Act deals with the cancellation of caste certification of which power is vested

with the District Collector. Caste certificate to the present Petitioner has not been cancelled by the District Collector, as such, the management cannot come to the conclusion that the caste certificate produced by the Petitioner is not a genuine document or is a forged document. No authority or power has been vested in any person than that of the Collector of the district from where the caste certificate has been issued. In the present case the authority has not followed the procedure laid down in A.P. Scheduled Caste, Schedule Tribe and Backward Classes certificate Act of 1983, as such, the entire action taken without following the procedure mentioned in the caste certificate Act of 1993 is futile and without jurisdiction and order passed on basis of a without jurisdiction finding or recommendation of such authority which has no jurisdiction to cancel the caste certificate is illegal, arbitrary and deserves to be set aside.

7. Against this argument of the Learned Counsel for the Respondent Petitioner workman, Learned Counsel for the Respondent has argued that in the matter of the Petitioner workman the management has not cancelled caste certificate issue by the competent authority i.e., Collector of the District, Vizianagaram. Present case is not a case of impersonation of the wrong person or caste. It is case of forged certificate which has not been issued by the office of the Collector of the Vizianagaram or M.R.O., Kothavalasa. The present case is a case of non-existent document and in that case if the authority comes to this conclusion on the basis of the evidence produced during enquiry that the alleged certificate has never been issued by the competent authority but it is out of the vexatious mind of Petitioner workman, then in that case the question is not of cancellation of such document, in such case only the document has to be ignored. In the present case the management has not started proceeding for the cancellation of the certificate but the management has simply enquired about the existence of the certificate i.e., whether the certificate was issued by the office of the Collector, Vizianagaram as claimed by the Petitioner and the Enquiry Officer concluded that the caste certificate produced by the Petitioner workman was never issued from the office of the Collector or Mandal Revenue Officer, Kothavalasa. The Petitioner has gained appointment on the basis of this forged caste certificate, as such, the Enquiry Officer submitted his report that the alleged certificate is a forged document or is a non-existent document. Whereas the Petitioner has relied on this document and obtained job on basis of it, thus, he has committed fraud with Government of India. He produced a false caste certificate for gaining job. Thus, the action of management is within its jurisdiction. The management has not committed any act beyond its jurisdiction.

8. I have considered the above argument and on the basis of the argument I have gone through the material available before this tribunal.

9. This tribunal has to determine :

- (I) Whether the action of the management in terminating the services of the Petitioner workman w.e.f. 6-3-2002 is justified or not ?
- (II) Whether the Petitioner workman is entitled for any relief or not ?

10. Point No. (I) : This is the crucial point in the present case wherein Learned Counsel has argued that the dismissal order passed against the Petitioner workman is illegal, the management has exceeded its jurisdiction in deciding the question of genuineness of the caste certificate and coming to the conclusion that the document is a forged one Learned Counsel of workman has relied upon Section 5 of the A.P., SC., ST and BC Act. I have gone through the provisions of Section 5 of A.P., S.C., S.T. and B.C. Act, it is a provision for the cancellation of the certificate granted to a person who impersonated himself to be of a particular caste which comes within the purview of a Scheduled Caste or Scheduled Tribe caste. If a person impersonated before the Collector of the District or M.R.O., that he belongs to a particular caste which is a Scheduled Caste or Scheduled Tribe caste and obtained caste certificate on false personation to obtain job, later on if it comes to the notice of the Collector of the District or M.R.O., of the Tahasil that the person to whom such certificate of Scheduled Caste or Scheduled Tribe category has been issued is not a member of such caste then in that case, the provision of Section 5 of the A.P., S.C., S.T. and B.C. certificate Act will come into play.

11. In the present case the Collector's Office has reported that the alleged certificate produced by the Petitioner workman before the employer for obtaining the job as a member of Scheduled Caste was never issued from the office of the Collector or M.R.O., Kothavalasa, S. Kota Tahasil then, the question of cancellation of certificate does not arise. In the present case the management has not cancelled any certificate and I am convinced and agree with the argument of the Learned Counsel for the Petitioner that if a wrong certificate has been obtained by a person impersonated himself to be a member of a particular Scheduled Tribe then, his certificate has to be cancelled by the Collector of the District who has issued the certificate but where the certificate itself has not been issued by competent authority either from the office of the Collector or from the Tahasil or Mandal Office, then the genuineness of such certificate has to be considered at the end of the person who has relied upon such certificate and on the reliance of such certificate and on the reliance of such certificate job of a Scheduled Tribe candidate has been offered to the Petitioner. Thus, in the present case Section 5 of cancellation of caste certificate mentioned in A.P., SC, ST and Backward Classes Act does not come into play and it is not applicable in the present case. The argument of the Learned Counsel for the Petitioner that

the management has not followed the provision of Section 5 of Certificate Act of 1993 is baseless and groundless. The argument is only to confuse the court between a certificate issued by the competent authority and a certificate which was not issued by any competent authority.

12. In the matter of the present Petitioner it is a case of non-issuance of the certificate from the office of a competent authority. In that case the management was competent to enquire into the genuineness of the certificate and on the basis of the evidence placed before the management during domestic enquiry proceeding, the management was able to come to conclusion that the certificate produced by the Petitioner workman was a forged certificate, it was not issued by the competent authority, it is a brain child of the Petitioner workman himself, as such, the management has not committed any illegality or irregularity. Since the provision of Section 5 of the Cancellation of Certificate Act, 1993 is not applicable in this case because it was not a case of cancellation of certificate, as such, entire arguments advanced by Learned Counsel for the Petitioner is of no help to the Petitioner.

13. This tribunal is of the opinion that the Petitioner workman has produced a self-made certificate not issued from office of competent authority, as such, it is a case of non-existent certificate and the Petitioner workman can not gain the benefit of such a forged certificate.

14. Learned Counsel for the Respondent has relied upon case law reported in AIR 1995 Supreme Court Cases page 1506 between Director of Tribunal Welfare, Government of Andhra Pradesh Vs. Laveti Giri and Another wherein Hon'ble Supreme Court has held that the "Burden to prove the social status of the person always lies on that person who propounds to seek constitutional, social, economic advantages—It is no part of duty of State to disprove or otherwise." It has further been held that under Article 15(4) of the Constitution of India there is issuance of the social status certificate and there is procedure of issuance of certificate, their scrutiny and their approval indicated. In the present case the Petitioner has filed his social status certificate in that case it was his duty to prove that the Petitioner belongs to the particular community and he was issued with such certificate from a competent authority. In the present case the Petitioner has gained appointment on the basis of a false social status certificate, thereby he has deprived the genuine right of a Scheduled Caste or Scheduled Tribe candidate, as such his action is a grave misconduct.

15. Learned Counsel for the Petitioner workman has relied on a series of case laws and has argued that the power of cancelling the certificate vests with the Collector. He has relied on a recent Supreme Court judgment reported

in 2010 LAB I.C. 2491 wherein the Petitioner of that case was appointed on basis of an invalid caste certificate but his claim was accepted by the Government and he was directed to be reinstated in service.

16. This case law is not applicable in the present case because, the present Petitioner has not filed an invalid caste certificate but he has filed a certificate fabricated and prepared by himself. Learned Counsel for the Petitioner has further relied on case law reported in 2002 LAB I.C. 1820 of Hon'ble High Court of A.P., wherein order of dismissal was set aside for non-compliance of mandatory provision. Learned Counsel has argued that the mandatory provisions of Section 5 of Cancellation of Certificate has not been applied with. But this case law is also not applicable in the present case because the provision of Section 5 of the Cancellation of certificate does not come into play as such, the non-compliance of mandatory provision does not arise in the present case. No other point has been argued by the Learned Counsel for the Petitioner workman or Respondent.

17. During course of the enquiry Petitioner has not been able to produce a single resident of alleged village of Kothavalasa that the Petitioner was a resident of that village or the Petitioner belongs to 'Konda Kapu' caste which was the duty of the Petitioner to prove before the Enquiry Officer. It was the duty of the Petitioner workman to prove before the Enquiry Officer that the certificate produced by him is a genuine certificate issued from the office of the Collector or M.R.O., Kothavalasa which he failed during course of enquiry. The enquiry has been held to be legal and valid, as such, this tribunal is of view that the Petitioner has obtained employment on the basis of forged caste certificate which was never issued from the office of the Collector or M.R.O., Petitioner knowingly and intentionally produced a fabricated and forged certificate to claim the benefit of Scheduled Caste or Scheduled Tribe candidate which was found to be fictitious and forged, as such, the imposition of the punishment removal from service is neither excessive nor disproportionate. In the matter of Union of India Vs. Krishna and others reported in 2008(2) LLJ page 852 Hon'ble Supreme Court held that punishment of compulsory retirement from service was proper where the employment was secured on the basis of bogus community certificate. The present case is also of gaining of employment on the basis of a fabricated caste certificate as such, the punishment is proportionate and justified. Point No. (I) is decided accordingly.

18. Point No. (II) : The Petitioner has not been able to prove that the punishment is excessive or disproportionate or illegal or arbitrary as such, he is not entitled for any relief. It has been argued by the Learned Counsel for the Petitioner that Petitioner has put in 23 years of service as such, a lenient attitude should be

adopted in his favour. I have considered this argument and I am of the definite view that Petitioner has obtained employment on the basis of fabricated caste certificate as such, he is not entitled for any sympathy. He has already gained benefit of employment for 23 years on the basis of forged certificate and he should not be allowed further to gain any benefit out of the fabricate certificate. He is not entitled for any relief. Point No. (II) is decided accordingly.

19. In view of the above discussion, this tribunal is of the definite view that petition is devoid of any merit. Petitioner does not deserve any relief from this tribunal and petition deserves to be dismissed. Workman is not entitled for any relief. Hence, this award.

Award passed accordingly. Transmit.

VED PRAKASH GAUR, Presiding Officer.

Appendix of evidence

Witnesses examined for the Petitioner	Witnesses examined for for the Respondent
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NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 2 सितम्बर, 2011

का.आ. 2661.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार दूरसंचार विभाग के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, लखनऊ के पंचाट (संदर्भ संख्या 1/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-9-2011 को प्राप्त हुआ था।

[सं. एल-40012/66/2005-आई आर (डी.यू.)]

जोहन तोपनो, अवर सचिव

New Delhi, the 2nd September, 2011

S.O. 2661.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 1/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Department of Telecom and their workmen, which was received by the Central Government on 2-9-2011.

[No. L-40012/66/2005-IR (DU)]

JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

PRESENT :

Dr. Manju Nigam, Presiding Officer.

I.D. No. 01/2005

L-40012/66/2004-IR (DU) dated 24-11-2005

BETWEEN

Sri Laxman Prasad, Village Bhawani Bari, PO Nahiya, Varanasi (U.P.)

AND

The Chief General Manager, Eastern Telephone Circle, Telecom Hazratganj, Lucknow.

AWARD

Dated : 18-8-2011

1. By order No. L-40012/66/2005-IR (DU) dated 24-11-2005 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between the Sri Laxman Prasad, Village Bhawani Bari, P.O. Nahiya Varanasi and Chief General Manager, Eastern Telephone Circle, Telecom, Hazratganj, Lucknow for adjudication :

“Whether the action of the Chief General Manager of BSNL in terminating the services of Shri Laxman Prasad S/o. Sri Kanahaiya Lal w.e.f. 1-5-1999 from the post of Chowkidar is justified and legal ? And if not, to what relief the workman is entitled to ? ”

3. Brief facts give rise to the aforesaid Industrial Dispute is that the applicant was engaged as Chaukidar since June 1987 by the Zonal Head w.e.f. 19-4-1999 though the workman was engaged as personal car driver by the zonal head but he was engaged by the bank itself and not by any officer concerned in his personal capacity. The workman was also rendering his services in the bank and his services were also utilized by the opposite party No. 2, initially he was being paid Rs. 2,500 per month as salary/wages subsequently his wages were increased by the opposite party from time to time and at the time of termination of his services he was being paid Rs. 3,700 per month. Workman was getting the salary directly from the bank through vouchers. He did the work as a driver of the car belonging to the bank for the period of more than 240 days. All of sudden the services of the workman have been terminated orally w.e.f. 31-10-2004 without any reason. The workman neither given any notice nor notice pay in lieu thereof or any compensation as required under

Section 25F of the I.D. Act, 1947. The statutory provisions have not been complied with by the bank management as such the termination of the workman is bad in the eye of law. It is further stated that the work and post is still available in the bank but reasons best known to the opposite party services of the workman is deprived discharge his duty. Accordingly, prayed for declaring the action of the management in terminating the services of the workman from 31-10-2004 is illegal and be reinstated alongwith all consequential benefits including back wages alongwith cost of expenses of the case.

4. While controverting the claim statement written statement denying the statement of the workman was filed whereby it was contended by the opposite party that personal car driver are not the employees of the bank they are being engaged by the bank's executive as per their own desire and requirement for which they are being paid fixed amount as reimbursement for their personal car driver, beside it was also alleged that bank had never paid any wages to the applicant. The applicant was to receive his wages from the regional zonal head concerned in personal and individual capacity. The bank has fixed the limit of amount that could be reimbursed to the regional zonal heads. It is for them to engage any personal car driver and pay them any amount within the permissible limit. The personal car drivers are like any other domestic servant engaged by the executive concerned. Expenses incurred by the executive of the bank are treated as their "perquisites". There is no category of applicant as 'personal car driver in the bank'. It is further stated that applicant is not getting salary directly from the bank. Further it was also contended that there was no master and servant relationship between the bank and the applicant. Bank has nothing to do with the engagement or disengagement of the personal car drivers as they were engaged by the executive concerned in their personal capacity. Since the car drivers are engaged by the executive concerned in their personal and individual capacity hence, as and when the regional zonal head were transferred and new zonal head tooks charge it was upto them to engage services of personal car driver or to discontinue of the existing car driver. It was also averred that bank has neither issued any letter of appointment nor any letter of termination therefore, the question of reinstating him with consequential benefits does not arise. For the facts mentioned, applicant's claim is not maintainable under the I.D. Act and workman is not entitled for any relief claimed by him claim petition is, therefore, deserves to be rejected.

5. Rejoinder A-13 filed by the workman, it was alleged by the workman that the present dispute is covered under the I.D. Act, 1947 and the services of the workman being utilized by the bank not in personal capacity of the

official of the bank. The contention made in the claim statement were reiterated nothing new has been added.

6. In support of the case, workman filed affidavit whereby he has stated that he was engaged as a personal car driver by the Zonal Head w.e.f. 19-4-1999. His services was also utilized by party No. 2 i.e. Asstt. General Manager, Corporation Bank, Lucknow and he was worked continuously without any break in the employers bank till the date of his termination i.e. 31-10-2004. Initially he was being paid Rs. 2,500 per month as wages subsequently his remuneration was increased Rs. 3,000 per month w.e.f. May 2002 and at the time of termination of service he was being getting Rs. 3,700 per month. It was further stated that though he was engaged as personal car driver but he was not engaged by any individual/officer of the bank but by the bank itself and that to after due consideration and approval of the competent authority. He was rendering his services to the bank not to any individual. In the cross-examination it was admitted by him that he was appointed by Asstt. General Manager Sri Y. S. Jain to drive car provided to him by the bank. It was also admitted that no attendance was taken in the bank. After Sri Jain, Sri H. S. Saini and thereafter Sri V. K. Agarwal joined as Asstt. General Manager. Mr. Jain initially use to give him Rs. 2,000 which was subsequently increased to Rs. 2,500 per month. Asstt. General Manager was provided car by the bank No. UP 32-W-3378. The car was also used by their family and by him as well for office purposes and he was engaged to drive that car. It was further admitted by him that photo copy of the voucher filed by him does not bears his signatures. It was also admitted that there was a procedure for appointment in bank and he was not appointed according to the procedure prescribed for the appointment. In support of the case some documents filed:

1. Photo copy of letter dated 21-6-1999 addressed to GM by RM.
2. Photo copy of letter dated 8-5-2000 by AGM to Chief Manager.
3. Photo copy of letter dated 3-6-2002 Chief Manager to H. S. Saini.
4. Phot copy of letter dated 19-3-2003 Asstt. Manager to GM.
5. Photo copy of challan bearing No. 895626.
6. Photo copy of salary slips/cash debit for the month of January 2003, October 2003, February 2004, March 2004 and July 2004.

7. Opposite party filed affidavit of Paul P. Issac, Chief Manager, Zonal Office, Corporation Bank it was stated that workman was engaged as personal car driver by successive zonal heads of the bank posted at Zonal Office, Lucknow from 19-4-1999. There is no policy or

rule for appointment of car drivers for the respective zonal heads of the bank as such the workman was engaged by the respective zonal heads in their personal capacity and paid him wages fixed to them by the bank towards reimbursement for engaging car drivers. It was further stated that applicant was neither issued any appointment letter by the bank nor any letter of termination, bank has nothing to do with the engagement of the workman by the zonal heads as their personal car driver. When zonal heads were transferred new zonal head took over charge, it was open to the new incumbent to engage personal car driver of their own choice. Since applicant was never appointed by bank hence there is no relationship of employee and employer. Letters dated 10-7-1999, 29-9-2003 and 20-11-2003 respectively filed by the opposite party in support of his case these letters issued by Administrative Division, head Office, Lucknow zone regarding reimbursement of expenses allowed to them for engaging personal car driver. In cross examination it has been stated that on being transferred or retirement the services of personal car driver automatically comes to end with the retirement/transfer of the officer. If his successor wants to take the services of the personal car driver he may continue with the existing driver or engage any new driver of his choice as per his financial limits. It was further stated that after transfer of Sri Saini, AGM Sri V. K. Agarwal succeeds him Sri V. K. Agarwal after taking approval continued the workman as driver thereafter Mr. B. N. Prabhu joined as AGM after V. K. Agarwal Mr. Prabhu engaged some other person in place of workman. Personal car driver use to drive the car provided to the zonal heads. No other work is being taken from him. It was denied that workman use to get salary or wages directly from the bank. The amount of wages were given to the AGM in the form of reimbursement.

8. I have heard the authorized representative of the parties concerned and perused the evidence filed by the parties. It has been submitted that the workman was working with the bank as driver on salary of Rs. 2,500 driving the car belonging to bank which was allotted to zonal head though the workman was appointed as personal car driver but he was not the employee of any official of the bank but he was the employee of the bank. His services have been terminated without following the provisions of I.D. Act. No notice or any compensation in lieu of notice was given to him since his services has been terminated orally without any notice and without complying the provision of Act his termination is illegal and arbitrarily. He has worked continuously in the service from 1999 to 2004 i.e. for six years. Termination of the service of the workman in such an arbitrary manner amounts to unfair labour practice.

9. In support of his case he has relied 2005 SCCL.COM.219 Bank of Baroda vs. Ghemarbhai Harjibhai Rabari.

10. Contrary to this, the authorize representative for the bank has submitted that workman had never been appointed by the bank nor he was getting any salary from the bank. He was appointed by zonal head of the bank and the payment was made by the zonal heads to the personal car driver which was reimbursed to them this allowance is treated as "perquisite" of the Executive. The executive concerned may drive the car or engage their personal car driver. No appointment letter was ever issued to Sri Shiv Shankar Misra nor any letter of termination was given to as he was never engaged by the bank for the services of the bank. He was engaged by the zonal head to drive car of the zonal head only. He is just like a domestic servant engaged by the zonal head and it is their pleasure to keep the personal car driver so long as they feel comfortable and happy with the services or they can remove him and engage new one. It is sole discretion of the zonal heads of the bank. Bank has nothing to do with the engagement of disengagement of the personal car driver. Since Sri Shiv Shankar Misra was not an employee of the bank there arises no question of his reinstatement in the service of bank with all consequential benefits. Opposite party has relied on 1978/312 LLJ Supreme Court between Punjab National Bank and Ghulam Dastagir in above case law Tribunal over ruling Bank's objection and awarding reinstatement of the workman to the bank. Bank appeal in Hon'ble Supreme Court, Hon'ble court held that there is no nexus at all between the driver and the Bank and the award has to be set aside.

11. I have considered the arguments advanced by the respective authorized representatives of the parties and perused the record. The case of the workman in brief is that he was engaged as personal car driver by zonal head w.e.f. 19-4-1999 and continued in service about 5 years till he terminated on 31-10-2004. As per averment made by the workman, that though he was designated as personal car driver but he was engaged by the bank and not any officer concerned in his personal capacity. His services have been terminated without complying the provision of Section 25F of the I.D. Act. While controverting the facts alleged by the workman it was denied by the opposite party that he has been engaged by the management. No appointment letter as ever been issued to him nor any termination letter were given to him. In fact he was appointed by the zonal head as his personal car driver to drive the car provided to them by the bank. There is no relationship of employee and employer between the bank and the workman. The services of the driver automatically comes to an end after the transfer or retirement of the zonal heads and it is the sweet will of the officer who succeeds as zonal head to continue the services of the existence personal car driver or to engaged a new one. Since there exists no relationship of employee and employer in the matter hence the reference is not legally sustainable in the eyes of law. In

नई दिल्ली, 2 सितम्बर, 2011

order to prove their respective case, the claimant Sri Shiv Shankar during the course of cross-examination has stated that he used to drive the car of AGM No. UP32 W-3378. He was engaged by Sri H. S. Saini, AGM to drive the car provided to AGM by Bank and after him his services was continued by Sri V. K. Agarwal who joined after Mr. Saini as AGM. The car was also used for personal purposes by the wife and children of the AGM. It was specifically admitted by him that he was engaged to drive that car only. Mr. Paul was examined on behalf of the opposite party wherein in the cross-examination it has been specifically stated by him that applicant was engaged as personal car driver which was provided to zonal head. He was not to drive any other car of the bank. After Sri V. K. Agarwal Mr. M. Prabhu joined as AGM he did not accept the services of Sri Shiv Shankar and engaged some other person as his personal car driver.

12. Thus from the evidence of the applicant, it is established that he was engaged by zonal head of the bank. ~~Mr. Saini thereafter by Mr. V. K. Agarwal and payment~~ vouchers No. 5/12 to 5/15 has been filed by him but it is admitted by him that the photocopy of vouchers does not bear his signatures.

13. Even for argument sake, if the submission of the workman that he was engaged by bank and rendering his services to the bank and was not an employee of any individual official, is admitted, it is incumbent upon the workman to prove that he had worked for 240 days within one year preceding to the date of alleged termination i.e. 31-10-2004. It is settled law that the party challenges the legality of the order, the burden lies upon him to prove the illegality. As such it is the burden on the workman to set out the grounds to challenge the validity of the action of the management in terminating his services by putting cogent evidence.

14. There is only 4 photocopy of vouchers for the year 2004 which shows that he has worked only for 122 days. Thus, it is not proved by the workman that he has worked continuously 240 days within 12 months from the date of alleged termination. Besides it is important to mention that in cross-examination, it is admitted by him that he had filed writ petition in Hon'ble High Court with respect to the matter in reference which has been dismissed by the Hon'ble High Court.

15. Under the facts and circumstances the applicant is not entitled for any relief claimed by him. The reference under adjudication is decided accordingly.

Lucknow,
18-8-2011

Dr. MANJU NIGAM, Presiding Officer

का.आ. 2662.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एलसी/आर/36/95) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-9-2011 को प्राप्त हुआ था।

[सं. एल-40011/2/94-आई आर (डीयू)]
जोहन तोपनो, अवर सचिव

New Delhi, the 2nd September, 2011

S.O. 2662.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/36/95) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur, now as shown in the Annexure, in the industrial dispute between the employers and workmen, which was received by the Central Government on 02-09-2011.

[No. L-40011/2/1994-IR (DU)]
JOHAN TOPNO, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/36/95

Shri Mohd. Shakir Hasan, Presiding Officer.

The Secretary,
National Union of Telecom Employees Union,
Line Staff & Group "D",
Bhopal

... Workman

Versus

Chief General Manager,
Telecom Deptt.,
Bhopal

... Management

AWARD

Passed on this 25th day of August 2011

1. The Government of India, Ministry of Labour vide its Notification No. L-40011/2/94-IR (DU) dated 14-2-95 has referred the following dispute for adjudication by this tribunal :

"Whether the action of the management of Chief General Manager, Telecom Bhopal, in terminating the services of S/Shri Harnam Singh Pal, Rajaram, Flaz Khan, Mohan Soni, Ratilal, Dadulal and Arjun

w.e.f. 16-9-93 is justified or not? If not, to what relief the workmen are entitled to ?”

2. The case of the Union/Workmen in short is that the workmen were engaged on daily wages as casual labour on different dates from 1985 to 1988. They were engaged on works of permanent nature in the department of the management. These workmen submitted application on different dates between 23-11-92 to 29-11-92 for regularization in the department. But without any sufficient cause they were denied work w.e.f. 16-9-93. In some cases the workmen were allowed to work intermittently in fake names. The workmen raised dispute before the Assistant Labour Commissioner, Bhopal who initiated a conciliation proceeding and directed to maintain status quo but in utter disregard of the direction they were stopped from work w.e.f. 16-9-93. It is stated that the workmen worked continuously more than 240 days in a year and the denial of work to the workmen by the management without notice was illegal. It is submitted that the workmen be reinstated with back wages.

3. The management appeared and filed written statement. The work orders were issued by the Divisional Engineers. The Lineman, S.I.T. and J.T.O. of the respective areas engaged these local casual labours for execution of the work orders. These works were not of permanent nature. It is stated that now these works are being done by the contractors. It is stated that when there were no work, these workers were not engaged. It is denied that they were engaged by the management as casual labours on muster rolls. It is stated that they had already left the work themselves and therefore the question of regularization does not arise. On these grounds it is submitted that the reference be answered in favour of the management.

4. On the basis of the pleadings of the parties, the following issues are for adjudication

(I) Whether the action of the management in terminating the services of the workmen named in the reference w.e.f. 16-9-93 is justified ?

(II) To what relief, the workmen are entitled ?

5. Issue No. I

Both the parties have adduced oral evidence in the case. The photocopies of the documents filed by the parties are denied by them. The then Tribunal directed the parties that those documents require proof vide order dated 7-9-05. None of the parties have proved their documents nor they have filed the original documents to prove the same.

6. Now let us examine the oral evidence in the case. The Union/workmen has adduced three witnesses. The workman Mohan Soni has stated in his evidence that

documents are filed in support of the statement of claim and they had worked regularly for more than five years. No documentary evidence is proved by the Union/workmen to substantiate that he had continuously worked for five years. In absence of the documents, the oral evidence appears to be not reliable. He has stated at para 6 that his work was for erecting pole and stretching wire and it is done only once. This clearly shows that he was engaged for a fixed work on work orders as has been alleged by the management. He has further supported the case of the management that now these works are being done by the contractor. This shows that he was not retrenched employee rather his case comes under the provision of Section 2(oo)(bb) of the Industrial Dispute Act, 1947 (in short the Act, 1947). Another Union witness is Shri Rati Lal. His evidence is similar to the above witness. He has also supported the case of the management that his work was specific for erecting pole and stretching wire over it and now these works are being done by the contractors. The last witness of the Union is Shri Dadulal. His evidence is similar to other witnesses of the union. Thus the evidence adduced by the Union/workmen clearly show they were engaged. Their case appears to be come under the provision of Section 2(oo)(bb) of the Act, 1947.

7. On the other hand the management has also examined one witness in the case. The management witness Shri Suresh Khoche is Sub Divisional Engineer. He has supported the case of the management. He has stated that none of the workman was appointed by the management. He has stated that there is no record in the office of the management of these workmen as has been claimed. It is evident from the discussion made above that these workmen were engaged for a fixed work on stipulation of work orders and the same was terminated after completion of the work. Thus the action of the management against the workmen appears to be justified. This issue is decided in favour of the management and against the workmen/Union.

8. Issue No. II

On the basis of the discussion made above, the workmen are not entitled to any relief. Accordingly the reference is answered.

9. In the result, the award is passed without any order to costs.

10. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 9 सितम्बर, 2011

का.आ. 2663.— केन्द्रीय सरकार के संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ड) के उप-खण्ड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम और रोजगार मंत्रालय की अधिसूचना दिनांक 09-03-2011 द्वारा हिन्दुस्तान एरोनाटिक्स लिमिटेड जो कि औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 8 में शामिल है को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 9-3-2011 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की ओर कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ड) के उप-खण्ड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 9-9-2011 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. सं. एस-11017/1/2003-आई. आर. (पी.एल.)]

चन्द्र प्रकाश, संयुक्त सचिव

New Delhi, the 9th September, 2011

S.O. 2663.—Whereas the Central Government having been satisfied that the public interest so requires that in pursuance of the provisions of sub-clause (vi) of the clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour & Employment dated 09-03-2011 the service in Hindustan Aeronautics Limited which is covered by item 8 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947) to be a Public Utility Service for the purpose of the said Act, for a period of six months from the 9th March 2011.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a Public Utility Service for the purposes of the said Act, for a period of six months from the 9th September, 2011.

[F.No. S-11017/1/2003-IR(PL)]
CHANDRA PRAKASH, Jt. Secy.

नई दिल्ली, 9 सितम्बर, 2011

का.आ. 2664.— केन्द्रीय सरकार के संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ड) के उप-खण्ड

(vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम और रोजगार मंत्रालय की अधिसूचना दिनांक 09-03-2011 द्वारा किसी भी तेल क्षेत्र, जो कि औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम अनुसूची की प्रविष्टि 17 में शामिल है को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 9-3-2011 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की ओर कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ड) के उप-खण्ड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 9-9-2011 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. सं. एस-11017/10/97-आई. आर. (पी.एल.)]

चन्द्र प्रकाश, संयुक्त सचिव

New Delhi, the 9th September, 2011

S.O. 2664.—Whereas the Central Government having been satisfied that the public interest so requires that in pursuance of the provisions of sub-clause (vi) of the clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour & Employment dated 09-03-2011 the service in the Any Oil Field which is covered by item 17 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947) to be a public Utility Service for the purpose of the said Act, for a period of six months from the 9th March 2011.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a Public Utility Service for the purposes of the said Act, for a period of six months from the 9th September, 2011.

[F.No. S-11017/10/97-IR(PL)]
CHANDRA PRAKASH, Jt. Secy.

नई दिल्ली, 13 सितम्बर, 2011

का.आ. 2665.— केन्द्रीय सरकार के संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ड) के उप-खण्ड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम और रोजगार मंत्रालय की अधिसूचना दिनांक 11-03-2011 द्वारा नाभिकीय ईंधन, संघटक, भारी पानी और संबंध रसायन तथा आणविक ऊर्जा, जो कि औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की प्रथम

अनुसूची की प्रविष्टि 28 में शामिल है को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 14-3-2011 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की ओर कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ठ) के उप-खण्ड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए दिनांक 14-9-2011 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. सं. एस-11017/3/97-आई. आर. (पी.एल.)]

चन्द्र प्रकाश, संयुक्त सचिव

New Delhi, the 13th September, 2011

S.O. 2665.—Whereas the Central Government having been satisfied that the public interest so requires that in pursuance of the provisions of sub-clause (vi) of the clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour & Employment dated 11-03-2011 the service in the Industrial Establishments manufacturing or producing Nuclear Fuel and Components, Heavy Water and Allied Chemicals and Atomic Energy which is covered by item 28 of the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947) to be a Public Utility Service for the purpose of the said Act, for a period of six months from the 14th March, 2011.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a Public Utility Service for the purposes of the said Act, for a period of six months from the 14th September, 2011.

[F. No. S-11017/3/97-IR(PL)]

CHANDRA PRAKASH, Jt. Secy.

नई दिल्ली, 13 सितम्बर, 2011

का.आ. 2666.— जबकि मैसर्स जिन्दल स्टील एण्ड पावर लिमिटेड [कोड संख्या सीजी/6411, छत्तीसगढ़ क्षेत्र के अंतर्गत] (एतदुपरान्त प्रतिष्ठान के रूप में संदर्भित) ने कर्मचारी भविष्य निधि एवं प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (एतदुपरान्त अधिनियम के रूप में संदर्भित) की धारा 17 की उपधारा (1) के खण्ड (क) के अंतर्गत छूट हेतु आवेदन किया है।

2. और जबकि केन्द्रीय सरकार की राय में, उक्त प्रतिष्ठान के भविष्य निधि संबंधी नियम अंशदान की दरों के संबंध में उक्त अधिनियम की धारा 6 में विनिर्दिष्ट कर्मचारियों से कम अनुकूल नहीं हैं तथा कर्मचारी इसी प्रकार के किसी अन्य किसी प्रतिष्ठान में कर्मचारियों के संबंध में उक्त अधिनियम के अंतर्गत अथवा कर्मचारी पेंशन निधि योजना, 1952 (एतदुपरान्त योजना के रूप में संदर्भित) के अंतर्गत प्रावधान किए गए भविष्य निधि संबंधी अन्य लाभों से भी लाभान्वित हो रहे हैं।

3. अतः, अब, केन्द्र सरकार, उक्त अधिनियम की धारा 17 की उप-धारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इस संबंध में समय-समय पर विनिर्दिष्ट शर्तों के अध्वधीन उक्त प्रतिष्ठान को दिनांक 01-07-2000 से अगली अधिसूचना जारी होने तक एतद्वारा उक्त प्रतिष्ठान को उक्त योजना के सभी उपबंधों के प्रचालन से छूट प्रदान करती है।

[सं. एस-35015/92/2009-एसएस-II]

सुभाष कुमार, अवर सचिव

New Delhi, the 13th September, 2011

S.O. 2666.—Whereas M/s. Jindal Steel & Power Limited [under Code No. CG/6411 in Chhattisgarh Region] (hereinafter referred to as the establishment) has applied for exemption under clause (a) of sub-section (1) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the Act.)

2. And whereas, in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to employees therein than those specified in Section 6 of the said Act and the employees are also in enjoyment of other provident fund benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the Scheme) in relation to the employees in any other establishment of similar character.

3. Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of Section 17 of the said Act and subject to the conditions specified in this regard from time to time, the Central Government, hereby exempts the said establishment from the operation of all the provisions of the said Scheme with effect from 01-07-2000 until further notification.

[F. No. S-35015/92/2009-SS-II]

SUBHASH KUMAR, Under Secy.